S3105-1

ANNUAL REPORT

January 1, 1979 — June 30, 1980

The Administrative Office of the Courts Commonwealth of Kentucky

CONTENTS

	Page
Letter of Transmittal	
INTRODUCTION	1
EXECUTIVE SUMMARY	3
THE KENTUCKY COURT OF JUSTICE	7
The Supreme Court	9
The Court of Appeals	13
The Circuit Courts	17
The District Courts	27
Clerk of Court	39
THE JUDICIAL COUNCIL	47
THE JUDICIAL RETIREMENT AND REMOVAL COMMISSION	51
JUDICIAL NOMINATING COMMISSIONS	61
THE JUDICIAL PLANNING COMMITTEE	73
THE ADMINISTRATIVE OFFICE OF THE COURTS	85
Division of Administrative Services	97
Division of Pretrial Services	113
Division of Education	119
Division of Clerk Services	131
Division of Internal Audit	135
The State Law Library	137
Division of Regional Services	147
JUDICIAL STATISTICS	163
APPENDIX	
A. FY 1979-80 - Circuit Court Filings and Dispositions for Counties and Circuits by Case Type	191
B. FY 1979-80 - District Court Filings and Dispositions for Counties and Districts by Case Type	203
C. FY 1978-79 to 1979-80 - Circuit Court Filings and Dispositions Increases/Decreases Total Cases for Counties and Circuits	215

		Page
D.	FY 1978-79 to 1979-80 - District Court Filings and Dispositions Increases/Decreases Total Cases for Counties and Districts	223
E.	FY 1979-80 - Circuit and District Court Projected vs. Reported Caseload Comparisons for Counties and Circuits/Districts	231
F.	State of the Judiciary Address	239
G.	Summary of Legislation	255

SUPREME COURT OF KENTUCKY

FIRST ROW (left to right): Justice Boyce G Clayton, Chief Justice John S. Palmore, Justice Marvin J. Sternberg, SECOND ROW: Justice J. Calvin Aker, Justice Robert O. Lukowsky, Justice Robert F. Stephens, Justice James B. Stephenson

COMMONWEALTH OF KENTUCKY
ADMINISTRATIVE OFFICE OF THE COURTS
403 WAPPING STREET
FRANKFORT, KENTUCKY 40601
(502) 564-7486

JOHN S. PALMORE
CHIEF JUSTICE

CHARLES D. COLE
DIRECTOR

**TO THE HONORABLE MEMBERS
OF THE
KENTUCKY GENERAL ASSEMBLY**

Submitted herewith will be found the Annual Report of the Court of Justice, prepared by the staff of the Administrative Office of the Courts. The report is submitted to you in compliance with KRS 27A.020(8).

Annual reports have, heretofore, been compiled on a calendar year reporting period. We believe that it is imperative to have the most current statistics available for regular sessions of the General Assembly. Therefore, the Administrative Office of the Courts has now converted to a fiscal year reporting basis. Consequently, this report covers an eighteen month period, January 1, 1979 through June 30, 1980. Future reports will relate to activity commencing on July 1 of the reporting year and ending June 30 of the subsequent fiscal year, covering twelve month periods.

The activities of the reporting period were a challenge to the staff of the administrative office and all persons serving within the judicial branch of government. Resources available to the judicial branch of government have been limited and caseloads have increased. Judges and court supportive personnel have, however, met the challenge and the people of the Commonwealth can be proud of the judicial services which have been available to them. It has been necessary, however, to defer some activities and necessary expansion of services into the next biennium.

We would like to gratefully acknowledge the cooperation and assistance of the judges and clerks of the Court of Justice in supplying information for inclusion in this report. It would not have been possible to offer these materials to you without the cooperation and aid of Court of Justice personnel in each of Kentucky's counties.

Respectfully submitted,

Charles D. Cole
Administrative Director of the Courts

CDC:ab

INTRODUCTION

At the general election in November 1975, the electorate of Kentucky gave its consent to a new direction for the court system of the Commonwealth by adopting a constitutional amendment to revise the judicial article. Under the constitutional amendment, the previously fragmented system with its large number of part-time, non-lawyer judges and overlapping jurisdictions was replaced by a unified Court of Justice.

Kentucky's first Constitution was adoped in April 1792, and was followed by complete revisions in 1799, 1850, and 1891. Until the recent modification of the judicial article, the courts functioned within the constraints of the inflexible, restrictive provisions of the 1891 Constitution. A historical narrative discussing previous judicial articles contained in the four Kentucky Constitutions may be found in the 1976 Annual Report of the Kentucky Court of Justice.

The judicial article now implemented provides for a unified court system fully funded by the state. Although judges and clerks remain locally elected, they are state officials and the courts are unified for purposes of administration and adjudication. The judicial article not only provides for four levels of courts, the Supreme Court, the Court of Appeals, the Circuit Courts, and the District Courts, but includes provisions for Judicial Nominating Commissions to fill vacancies, and for a Judicial Retirement and Removal Commission to insure the proper conduct of the judiciary.

The structure, organization, and administration of the Court of Justice as it is today is fully described in this report. As Kentucky approaches its bicentennial a few years hence, its citizens will have the opportunity to reflect upon these most recent developments in their judicial branch of government, and look back with pride upon the accomplishments of the seventies and progressive improvement of the eighties.

EXECUTIVE SUMMARY

It is with pride of accomplishment that this 1979-80 Annual Report of the Kentucky Court of Justice is written. The report is lengthy and goes beyond the mere factual transmission of court statistics characteristic of such reports. In order to preserve for posterity the methods of implementation of the most drastic governmental change in the history of the Commonwealth of Kentucky, and for other states considering judicial reform and the establishment of a unified court system, this report details activities relative to the development of a judicial system considered one of the most progressive in the nation.

Former Annual Reports have been made on a calendar year reporting period. Because it is imperative to have the most up-to-date statistics available for regular sessions of the Kentucky General Assembly, the decision was made to convert to a fiscal year reporting basis. As a consequence, this report covers an 18-month period, January 1, 1979 through June 30, 1980. Future reports will encompass the 12 months beginning July 1 and ending June 30 of each subsequent fiscal year.

On July 1, 1979, Charles D. "Bo" Cole, former director of the Southern Regional Office of the National Center for State Courts in Atlanta, replaced William E. Davis as Director of the Administrative Office of the Courts. Mr. Cole was appointed by the Supreme Court upon the occasion of resignation of Mr. Davis, who served as director from December 1975, through June 1979.

Growing emphasis has been placed on providing administrative services to the judiciary and to the adjunct non-judicial offices maintained under the unified court system. The formidable task of insuring the proper and efficient operation of circuit clerks' offices and pretrial services offices in 120 counties is awesome, especially in light of the infancy of the system and the condition of the national and state economy. Dependency upon legislative appropriation for full state funding of the courts, as mandated by the Constitution, has resulted in considerable tightening of budget allocations to meet necessary expenses. It is significant to note that cutbacks and other budgetary restrictions have had an adverse effect on

the delivery of services and required that necessary expansion of existing programs be deferred until state funding becomes available.

Special attention has been given to the development of long-range programs recommended during the initial planning stages of implementation of the unified judicial system, and a major reorganization of the Administrative Office of the Courts was undertaken in order to accomplish those goals and objectives. During the preparation of program memoranda and the annual workplan, guidelines and priorities were established for the maintenance and improvement of continuation activities as well as projected activities. To enhance the quality of services, detailed analyses of programs were made, which resulted in refinement of procedures and significant changes in methodology and approach to the solution of problems.

An outgrowth of the new perspective has been an increasing awareness of the necessity to bring the delivery of services to an acceptable maintenance level.

In summary, during the period covered by this report, the Court of Justice, with staff support from the Administrative Office of the Courts, has:

- filled 20 judicial vacancies through the judicial nominating commission process;

- administered 16 federal grants approved for funding through the Judicial Planning Committee and the Kentucky Crime Commission;

- prepared program memoranda and budget request for submission to the Kentucky General Assembly;

- secured an increase in judicial compensation to meet the present cost-of-living standards;

- gained legislative approval for four additional circuit judges and nine additional district judges;

- completed the work of the Criminal Rules Revision Committee, whose responsibility it is to study the Kentucky Rules of Criminal Procedure and make appropriate recommendations to the Judicial Council and the Supreme Court;

- established the Ethics Committee of the Kentucky Judiciary to render advisory opinions to judges and trial commissioners concerning the propriety of any act or conduct and the application of the canons of the Code of Judicial Conduct;

- completed internal management studies conducted to discover ways to reduce costs and improve services;

- established a central operations center and print shop for the purpose of expediting shipments of standardized forms, furniture, equipment and office supplies throughout the state;

- improved reporting forms and methods of reimbursement to units of local government for court facilities;

- established mediation and diversion projects within the Division of Pretrial Services;

- conducted educational programs for judges, clerks and other judicial support personnel, including judicial conferences, judicial colleges, clerks' conferences, specialty programs, and training seminars;

- maintained day-to-day assistance to circuit clerks and prepared revisions to the Clerk's Manual to include a standardized forms package and incorporate legislative changes;

- developed a records retention and disposal schedule which was ultimately promulgated in the Rules of the Supreme Court;

- upgraded internal controls of the uniform accounting system in the offices of the circuit clerks;

- revised the Regional Administration charter to place more emphasis upon trial court administration with professional assistance from the Administrative Office of the Courts, and to encourage expanded utilization of the program for purposes of equalizing workload among judges;

- increased data processing capabilities by refinement of existing internal systems and the initiation of new systems to expedite dockets and warrant control;

- improved case reporting procedures, in both the manual data editing procedures and within the data processing capability.

"The judicial power of the Commonwealth shall be vested exclusively in one Court of Justice which shall be divided into a Supreme Court, a Court of Appeals, a trial court of general jurisdiction known as the Circuit Court and a trial court of limited jurisdiction known as the District Court. The court shall constitute a unified judicial system for operation and administration."

Constitution of Kentucky, Section 109.

THE KENTUCKY COURT OF JUSTICE

THE KENTUCKY COURT OF JUSTICE

The Judicial Article of the Kentucky Consitution provides for one unified Court of Justice, consisting of four courts: The Supreme Court, the Commonwealth's court of last resort; the Court of Appeals, an intermediate appellate court; the Circuit Courts, courts of general trial jurisdiction; and the District Courts, courts of limited jurisdiction.

The structure of the Court of Justice was established under the Judicial Article which, in November 1975, was adopted by constitutional amendment. The Supreme Court, Court of Appeals and Circuit Courts became effective on January 1, 1976, and the District Courts on January 2, 1978.

The Court of Justice is unified for purposes of administration, with the Chief Justice having executive and administrative authority over the entire system.

THE SUPREME COURT

Organization

The Supreme Court consists of seven justices, one elected from each of the seven appellate districts. A majority constitutes a quorum for the transaction of business. A Chief Justice, elected for a term of four years by his fellow members, presides over the Court and has administrative authority over the entire Court of Justice. The term of office of a Justice of the Supreme Court is eight years, staggered among the seven districts according to statute. Compensation of the justices is determined by the General Assembly.

Jurisdiction

The Supreme Court has appellate jurisdiction only, except it has the power to issue all writs necessary in aid of its appellate jurisdiction. Appeals from a judgment of the circuit court imposing a sentence of death or life imprisonment or imprisonment for twenty years or more are taken directly to the Supreme Court, but other causes of great and immediate importance may be transferred from the Court of Appeals if a motion for transfer is granted. Decisions of the Court of Appeals may be appealed to the Supreme Court if granted a discretionary review as prescribed by rule of court. The Supreme Court has the authority to prescribe rules for the appointment of commissioners and other court personnel and rules of practice and procedure for the Court of Justice. Additionally, the Supreme Court controls admission to the bar and discipline of members of the bar.

Justice John S. Palmore
Chief Justice, Supreme Court

Chief Justice Palmore was born in the Canal Zone in 1917, attended Western Kentucky State College and received his law degree, cum laude, from the University of Louisville in 1939. While in private practice from 1939 to 1959, Justice Palmore also served as Henderson city prosecutor, Henderson city attorney, and 5th Judicial Circuit commonwealth's attorney. He was elected to the former Court of Appeals (now Supreme Court) in 1959 and was chosen Chief Justice of that Court in 1966 and 1973. In 1977 Justice Palmore was elected Chief Justice of the Supreme Court. Justice Palmore is a member of the American Bar Association.

A U.S. Naval officer veteran of World War II and the Korean conflict, the Chief Justice is an American Legion member, a past president of the Henderson Lion's Club, former member of the Henderson County Farm Bureau Board of Directors, a 32nd degree Mason and a Shriner.

Justice Palmore resides in Frankfort, Kentucky and has one son.

THE SUPREME COURT

The Honorable John S. Palmore, Chief Justice
Second Supreme Court District
Owensboro, Kentucky
Present Term Expires December 31, 1982

Justice Boyce G. Clayton
First Supreme Court District
Benton, Kentucky
Present Term Expires December 31, 1982

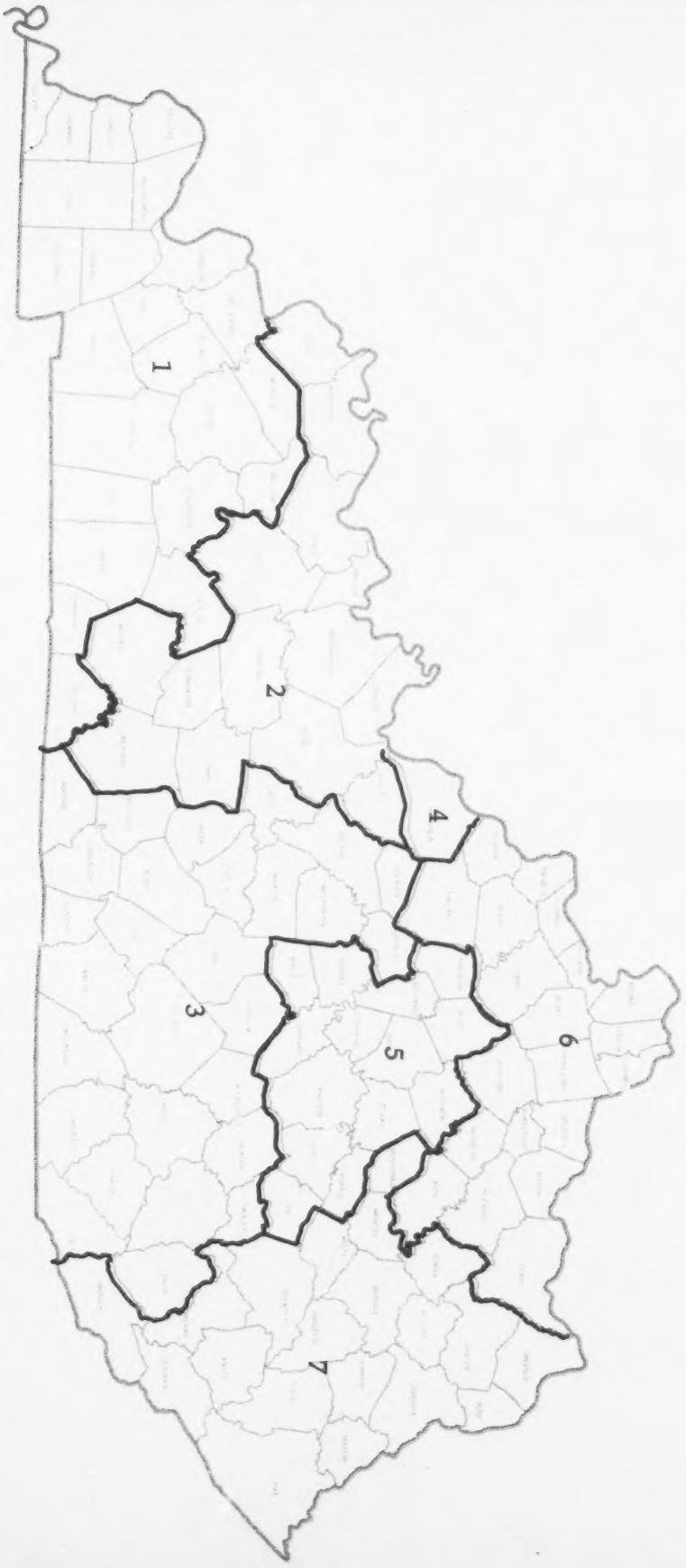
Justice J. Calvin Aker
Third Supreme Court District
Somerset, Kentucky
Present Term Expires December 31, 1986

Justice Marvin J. Sternberg
Fourth Supreme Court District
Louisville, Kentucky
Present Term Expires December 31, 1982

Justice Robert F. Stephens
Fifth Supreme Court District
Lexington, Kentucky
Present Term Expires December 31, 1984

Justice Robert O. Lukowsky
Sixth Supreme Court District
Ft. Mitchell, Kentucky
Present Term Expires December 31, 1982

Justice James B. Stephenson
Seventh Supreme Court District
Pikeville, Kentucky
Present Term Expires December 31, 1988



Appellate Districts

THE COURT OF APPEALS

Organization

The Court of Appeals consists of 14 judges, two elected from each of the seven appellate districts for a term of eight years. A Chief Judge is elected from among members of the court for a term of four years. The Court of Appeals may divide itself into panels of not less than three judges, a majority of each panel concurring in the decision of a cause. The Chief Judge has authority to assign judges to panels and to determine locations within the Commonwealth where each panel shall sit. Panels are chosen on a rotational basis, so that each judge sits with every other judge at least once a year. Cases are assigned to panels by the Chief Judge.

Jurisdiction

The Court of Appeals has appellate jurisdiction only, except that it may be authorized by rule to review directly decisions of administrative agencies of the Commonwealth, and to issue all writs necessary in aid of its appellate jurisdiction. One appeal, as a matter of right, may be taken from a judgment of the circuit court, the court of general trial jurisdiction, to the Court of Appeals. Decisions of the circuit court, when sitting on an appeal from district court, may be appealed to the Court of Appeals if granted a discretionary review as prescribed by rule of court.

Judge John P. Hayes
Chief Judge, Court of Appeals

Born in 1930 in Washington County, Chief Judge Hayes graduated from college and law school at the University of Louisville. The judge spent several years in private practice, served one term as alderman from Louisville's Second Ward, and as a Jefferson circuit judge. He has been an associate judge of the Court of Appeals since his election in 1976 and Chief Judge since 1979.

Judge Hayes is a member of the Board of Directors of the Cedar Lake Lodge Home for the Mentally Handicapped in LaGrange. He and his wife have three children.

THE COURT OF APPEALS

The Honorable John P. Hayes, Chief Judge
Fourth Appellate District
First Division
Louisville, Kentucky

Judge Roy N. Vance
First Appellate District
First Division
Paducah, Kentucky

Judge J. William Howerton
First Appellate District
Second Division
Paducah, Kentucky

Judge William M. Gant
Second Appellate District
First Division
Owensboro, Kentucky

Judge Charles H. Reynolds
Second Appellate District
Second Division
Bowling Green, Kentucky

Judge John D. White
Third Appellate District
First Division
Manchester, Kentucky

Judge Kenton J. Cooper
Third Appellate District
Second Division
Jamestown, Kentucky

Judge Michael O. McDonald
Fourth Appellate District
Second Division
Louisville, Kentucky

Judge Paul D. Gudgel
Fifth Appellate District
First Division
Lexington, Kentucky

Judge Anthony M. Wilhoit
Fifth Appellate District
Second Division
Versailles, Kentucky

Judge Charles B. Lester
Sixth Appellate District
First Division
Ft. Thomas, Kentucky

Judge Donald C. Wintersheimer
Sixth Appellate District
Second Division
Covington, Kentucky

Judge Elijah M. Hogge
Seventh Appellate District
First Division
Morehead, Kentucky

Judge Harris S. Howard
Seventh Appellate District
Second Division
Prestonsburg, Kentucky

Note: All terms expire December 31, 1983.
The foregoing directory of Judges of the Court of Appeals is updated to March 1, 1981, for current information purposes.

THE CIRCUIT COURTS

Organization

The circuit courts consist of 91 judges serving in 56 judicial circuits which are determined by law and circuit court is held in each county.* Circuit judges are elected for a term of eight years from judicial circuits categorized as follows: one-judge one-county circuits; multi-county one-judge circuits; and multi-judge one-county circuits. In any judicial circuit having only one judge, he is the chief judge. In judicial circuits having more than one judge, a chief judge is elected biennially from among their number. Compensation of circuit judges is set by the legislature.

Jurisdiction

The circuit court is a court of general trial jurisdiction and has original jurisdiction of all justiciable causes not vested in some other court. Jurisdiction in civil cases is limited to those involving an amount in controversy not less than $1500. Its appellate jurisdiction is provided by law, and all appeals are on the record. Review of administrative actions of state agencies constitute an original action and not an appeal.

*NOTE: The 1980 Kentucky General Assembly passed legislation to increase the number of circuit judges from 87 to 91. Existing judicial circuits remain unchanged. The four additional judges took office upon certification of the November 1980 general election results.

Judge Henry V. Pennington
President, Kentucky Circuit Judges' Association

Judge Pennington was born in London in 1925. Prior to receiving his A.B. from Centre College, he served in the Army during World War II. He received his J.D. from the University of Kentucky and entered private practice in Danville. Before being appointed circuit judge in 1970, Judge Pennington served as municipal judge, city council member and city attorney.

Judge Pennington has been involved in many judicial and legal activities, having served as president of the Boyle County Bar Association, and as the chairman of the Kentucky Model Circuit Courts Project. He is a Fellow of the International Academy of Trial Judges, and was a member of the Governor's Judicial Advisory Board, and the Task Force for Kentucky Judicial Reform. The judge was also the founder of Kentucky's Office of Judicial Planning and received the Outstanding Judge Award from the Kentucky Bar Association in 1979.

A frequent lecturer at judicial seminars, Judge Pennington is president of the Kentucky Circuit Judges' Association and has been Chief Regional Judge of the Circuit Court's Southeastern Region since 1978. He is a member of the American Bar Association, American and Kentucky Trial Lawyers Association, the American Judges Association and the American Judicature Society.

Judge Pennington and his wife have two sons.

THE CIRCUIT COURT

First Judicial Circuit	Judge John C. Bondurant Hickman, Kentucky
Second Judicial Circuit First Division	Judge Lloyd C. Emery, II Paducah, Kentucky
Second Judicial Circuit Second Division	Judge J. Brandon Price Paducah, Kentucky
Third Judicial Circuit First Division	Judge Alfred Naff Hopkinsville, Kentucky
Third Judicial Circuit Second Division	Judge Thomas Soyars Hopkinsville, Kentucky
Fourth Judicial Circuit	Judge Thomas B. Spain Madisonville, Kentucky
Fifth Judicial Circuit	Judge Will Tom Wathen Morganfield, Kentucky
Sixth Judicial Circuit First Division	Judge Henry M. Griffin Owensboro, Kentucky
Sixth Judicial Circuit Second Division	Judge Robert M. Short Owensboro, Kentucky
Seventh Judicial Circuit	Judge William G. Fuqua Russellville, Kentucky
Eighth Judicial Circuit First Division	Judge William E. Allender Bowling Green, Kentucky
Eighth Judicial Circuit Second Division	Judge J. David Francis Bowling Green, Kentucky

Ninth Judicial Circuit First Division	Judge William S. Cooper Elizabethtown, Kentucky
Ninth Judicial Circuit Second Division	Judge D. Michael Coyle Elizabethtown, Kentucky
Tenth Judicial Circuit	Judge Charles R. Richardson Munfordville, Kentucky
Eleventh Judicial Circuit	Judge Robert M. Spragens Lebanon, Kentucky
Twelfth Judicial Circuit	Judge George F. Williamson LaGrange, Kentucky
Thirteenth Judicial Circuit	Judge Henry C. Cox Lancaster, Kentucky
Fourteenth Judicial Circuit	Judge Robert Hall Smith Georgetown, Kentucky
Fifteenth Judicial Circuit	Judge James R. Ford Owenton, Kentucky
Sixteenth Judicial Circuit First Division	Judge Raymond E. Lape Covington, Kentucky
Sixteenth Judicial Circuit Second Division	Judge William R. Dunn Covington, Kentucky
Sixteenth Judicial Circuit Third Division	Judge Daniel J. Goodenough Covington, Kentucky
Sixteenth Judicial Circuit Fourth Division	Judge James J. Gilliece Covington, Kentucky
Seventeenth Judicial Circuit First Division	Judge John A. Diskin Newport, Kentucky
Seventeenth Judicial Circuit Second Division	Judge Thomas F. Schnorr Newport, Kentucky

Eighteenth Judicial Circuit	Judge John P. Lair Cynthiana, Kentucky
Nineteenth Judicial Circuit	Judge Richard L. Hinton Flemingsburg, Kentucky
Twentieth Judicial Circuit	Judge James D. Atkinson, Jr. Greenup, Kentucky
Twenty-First Judicial Circuit	Judge Caswell P. Lane Mt. Sterling, Kentucky
Twenty-Second Judicial Circuit First Division	Judge James E. Keller Lexington, Kentucky
Twenty-Second Judicial Circuit Second Division	Judge N. Mitchell Meade Lexington, Kentucky
Twenty-Second Judicial Circuit Third Division	Judge Armand Angelucci Lexington, Kentucky
Twenty-Second Judicial Circuit Fourth Division	Judge L. T. Grant Lexington, Kentucky
Twenty-Second Judicial Circuit Fifth Division	Judge Charles M. Tackett Lexington, Kentucky
Twenty-Second Judicial Circuit Sixth Division	Judge George E. Barker Lexington, Kentucky
Twenty-Third Judicial Circuit	Judge Edward Jackson Beattyville, Kentucky
Twenty-Fourth Judicial Circuit First Division	Judge W. B. Hazelrigg Paintsville, Kentucky
Twenty-Fourth Judicial Circuit Second Division	Judge James A. Knight Paintsville, Kentucky
Twenty-Fifth Judicial Circuit First Division	Judge James S. Chenault Richmond, Kentucky
Twenty-Fifth Judicial Circuit Second Division	Judge Charles T. Walters Winchester, Kentucky

Twenty-Sixth Judicial Circuit	Judge Sidney B. Douglass, II Harlan, Kentucky
Twenty-Seventh Judicial Circuit First Division	Judge Robert H. Helton, Jr. London, Kentucky
Twenty-Seventh Judicial Circuit Second Division	Judge Charles R. Luker London, Kentucky
Twenty-Eighth Judicial Circuit	Judge Phillip K. Wicker Somerset, Kentucky
Twenty-Ninth Judicial Circuit	Judge James C. Carter, Jr. Tompkinsville, Kentucky
Thirtieth Judicial Circuit First Division	Judge Joseph Eckert Louisville, Kentucky
Thirtieth Judicial Circuit Second Division	Judge Richard C. Oldham Louisville, Kentucky
Thirtieth Judicial Circuit Third Division	Judge Charles H. Anderson Louisville, Kentucky
Thirtieth Judicial Circuit Fourth Division	Judge Richard A. Revell Louisville, Kentucky
Thirtieth Judicial Circuit Fifth Division	Judge Earl J. O'Bannon Louisville, Kentucky
Thirtieth Judicial Circuit Sixth Division	Judge Jack E. Mudd Louisville, Kentucky
Thirtieth Judicial Circuit Seventh Division	Judge Thomas Burton Louisville, Kentucky
Thirtieth Judicial Circuit Eighth Division	Judge Henry D. Hopson Louisville, Kentucky
Thirtieth Judicial Circuit Ninth Division	Judge Charles M. Leibson Louisville, Kentucky
Thirtieth Judicial Circuit Tenth Division	Judge George B. Ryan Louisville, Kentucky
Thirtieth Judicial Circuit Eleventh Division	Judge Olga S. Peers Louisville, Kentucky

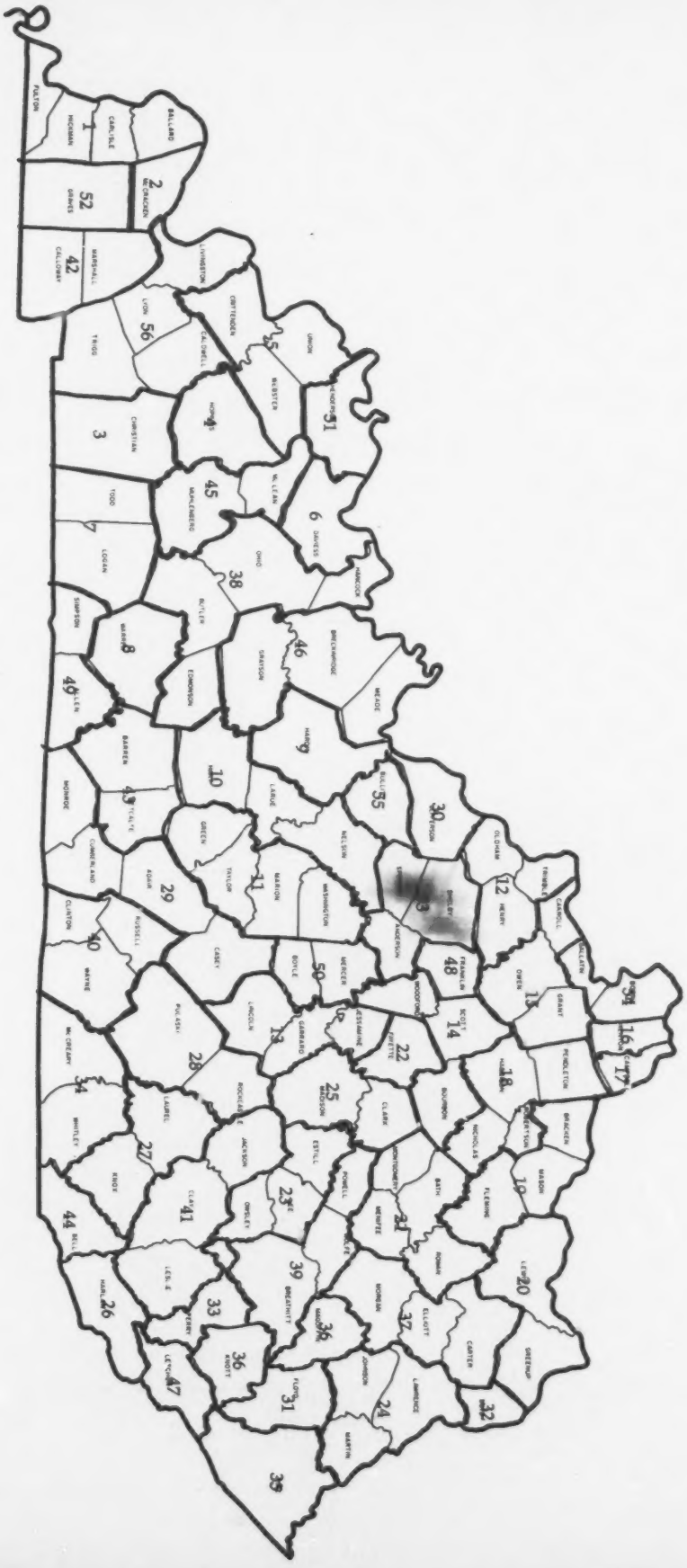
Thirtieth Judicial Circuit Twelfth Division	Judge Curtis G. Witten Louisville, Kentucky
Thirtieth Judicial Circuit Thirteenth Division	Judge Laurence Higgins Louisville, Kentucky
Thirtieth Judicial Circuit Fourteenth Division	Judge S. Rush Nicholson Louisville, Kentucky
Thirtieth Judicial Circuit Fifteenth Division	Judge Benjamin Shobe Louisville, Kentucky
Thirtieth Judicial Circuit Sixteenth Division	Judge George Kunzman Louisville, Kentucky
Thirty-First Judicial Circuit	Judge Hollie Conley Prestonsburg, Kentucky
Thirty-Second Judicial Circuit First Division	Judge Kelley Asbury Catlettsburg, Kentucky
Thirty-Second Judicial Circuit Second Division	Judge Charles S. Sinnette Catlettsburg, Kentucky
Thirty-Third Judicial Circuit	Judge Calvin N. Manis Hazard, Kentucky
Thirty-Fourth Judicial Circuit	Judge J. B. Johnson, Jr. Williamsburg, Kentucky
Thirty-Fifth Judicial Circuit First Division	Judge Reed D. Anderson Pikeville, Kentucky
Thirty-Fifth Judicial Circuit Second Division	Judge E. N. Venters Pikeville, Kentucky
Thirty-Sixth Judicial Circuit	Judge John Chris Cornett Hindman, Kentucky
Thirty-Seventh Judicial Circuit	Judge Ralph N. Walter West Liberty, Kentucky

Thirty-Eighth Judicial Circuit	Judge Carmol D. Cook Beaver Dam, Kentucky
Thirty-Ninth Judicial Circuit	Judge J. Douglas Graham Campton, Kentucky
Fortieth Judicial Circuit	Judge Leonard E. Wilson Jamestown, Kentucky
Forty-First Judicial Circuit	Judge Clay M. Bishop Manchester, Kentucky
Forty-Second Judicial Circuit	Judge James M. Lassiter Murray, Kentucky
Forty-Third Judicial Circuit	Judge Cass R. Walden Edmonton, Kentucky
Forty-Fourth Judicial Circuit	Judge Farmer H. Helton Pineville, Kentucky
Forty-Fifth Judicial Circuit	Judge B. R. Paxton Greenville, Kentucky
Forty-Sixth Judicial Circuit	Judge Kenneth H. Goff Leitchfield, Kentucky
Forty-Seventh Judicial Circuit	Judge F. Byrd Hogg Whitesburg, Kentucky
Forty-Eighth Judicial Circuit First Division	Judge Henry Meigs, II Frankfort, Kentucky
Forty-Eighth Judicial Circuit Second Division	Judge Squire N. Williams, Jr. Frankfort, Kentucky
Forty-Ninth Judicial Circuit	Judge Frank R. Goad Scottsville, Kentucky

Fiftieth Judicial Circuit	Judge Henry V. Pennington Danville, Kentucky
Fifty-First Judicial Circuit	Judge Carl D. Melton Henderson, Kentucky
Fifty-Second Judicial Circuit	Judge Seth T. Boaz Mayfield, Kentucky
Fifty-Third Judicial Circuit	Judge Harold Y. Saunders Shelbyville, Kentucky
Fifty-Fourth Judicial Circuit	Judge Samuel Neace Burlington, Kentucky
Fifty-Fifth Judicial Circuit	Judge Charles V. Sanders Shepherdsville, Kentucky
Fifty-Sixth Judicial Circuit	Judge Willard B. Paxton Cadiz, Kentucky

Note: All terms expire December 31, 1983. The foregoing directory of Circuit Judges is updated to March 1, 1981, for current information purposes and includes four additional circuit judges approved by the Kentucky General Assembly. Elections were held in November 1980, to fill new judgeships in the 3rd, 24th, 25th and 27th Judicial Circuits.

Judicial Circuits and Districts



THE DISTRICT COURTS

Organization

The district courts consist of 123 judges elected for a term of four years from 56 judicial districts coterminous with the judicial circuits.* In any judicial district having only one judge, he is the chief judge. In judicial districts having more than one judge, a chief judge is elected biennially from among their number. In any county in a district in which a district judge does not reside, the Constitution mandates that the district judge shall appoint a resident trial commissioner. District court is held in each county. Compensation of district judges is determined by law.

Jurisdiction

District court is a court of limited jurisdiction. Its civil jurisdiction is limited to cases where the amount in controversy does not exceed $1500, and cases relating to probate. The Small Claims Division of district court has jurisdiction of cases involving not more than $1,000. It has criminal jurisdiction of misdemeanors, felony preliminary hearings, city and urban-county ordinance cases, traffic matters and certain juvenile cases. The district court may be granted statutory authority to review decisions of administrative boards. The district court is a court of record.

*NOTE: The 1980 Kentucky General Assembly passed legislation to increase the number of district judges from 114 to 123. Existing judicial districts remain unchanged. The nine additional judges took office upon certification of the 1980 general election results.

Judge John T. Daughaday
President, Kentucky District Judges' Association

Judge Daughaday was born in Mayfield in 1944. He received his B.A. from the University of Kentucky and his Juris Doctorate from the University of Kentucky College of Law. Prior to election to the district judgeship, he served as city attorney in Lexington and later went into private practice in Mayfield. Judge Daughaday is a member of the American and Kentucky Bar Associations, American Judicature Society and Kentucky Trial Lawyers. He is President of the District Judges' Association and chairman of the District Judges' Education Committee. The judge was elected Outstanding Young Man of the Year in 1972 and 1978.

Judge Daughaday resides in Mayfield with his wife, Peggy, and their three children.

THE DISTRICT COURT

First Judicial District First Division	Judge Jimmy D. Robinson Wickliffe, Kentucky
First Judicial District Second Division	Judge Brantly D. Amberg Hickman, Kentucky
Second Judicial District First Division	Judge James R. Daniels Paducah, Kentucky
Second Judicial District Second Division	Judge Robert L. Myre, Jr. Paducah, Kentucky
Third Judicial District First Division	Judge Edwin M. White Hopkinsville, Kentucky
Third Judicial District Second Division	Judge Peter C. Macdonald Hopkinsville, Kentucky
Fourth Judicial District First Division	Judge Laurence T. Gordon Madisonville, Kentucky
Fourth Judicial District Second Division	Judge Charles W. Boteler, Jr. Madisonville, Kentucky
Fifth Judicial District	Judge Tom D. Harris Morganfield, Kentucky
Sixth Judicial District First Division	Judge Thomas F. Hardesty Owensboro, Kentucky
Sixth Judicial District Second Division	Judge William F. Bennett Owensboro, Kentucky
Sixth Judicial District Third Division	Judge George V. Triplett Owensboro, Kentucky
Seventh Judicial District	Judge Winford S. Jones Russellville, Kentucky

Eighth Judicial District First Division	Judge Gordon L. Johnson Bowling Green, Kentucky
Eighth Judicial District Second Division	Judge Henry J. Potter, Jr. Bowling Green, Kentucky
Ninth Judicial District First Division	Judge Robert N. Hubbard Elizabethtown, Kentucky
Ninth Judicial District Second Division	Judge James N. Scudder Elizabethtown, Kentucky
Tenth Judicial District First Division	Judge J. Michael Whelan Hodgenville, Kentucky
Tenth Judicial District Second Division	Judge Thomas C. Dawson Bardstown, Kentucky
Eleventh Judicial District First Division	Judge W. M. (Mike) Hall Campbellsville, Kentucky
Eleventh Judicial District Second Division	Judge Edwin P. Abell Campbellsville, Kentucky
Twelfth Judicial District First Division	Judge Dennis A. Fritz LaGrange, Kentucky
Twelfth Judicial District Second Division	Judge Robert D. Hawkins New Castle, Kentucky
Thirteenth Judicial District First Division	Judge William W. Pollard Lancaster, Kentucky
Thirteenth Judicial District Second Division	Judge Marvin Cornett Stanford, Kentucky
Fourteenth Judicial District First Division	Judge David L. Knox Georgetown, Kentucky
Fourteenth Judicial District Second Division	Judge J. Craig Bradley, III Georgetown, Kentucky

Fifteenth Judicial District First Division	Judge Charles F. Satterwhite Owenton, Kentucky
Fifteenth Judicial District Second Division	Judge William F. Knapp Corinth, Kentucky
Sixteenth Judicial District First Division	Judge Douglas M. Stephens Covington, Kentucky
Sixteenth Judicial District Second Division	Judge Judy M. West Covington, Kentucky
Sixteenth Judicial District Third Division	Judge William L. Schmaedecke Covington, Kentucky
Sixteenth Judicial District Fourth Division	Judge Charles J. Brannen Covington, Kentucky
Seventeenth Judicial District First Division	Judge Leonard L. Kopowski Newport, Kentucky
Seventeenth Judicial District Second Division	Judge George Muehlenkamp Newport, Kentucky
Seventeenth Judicial District Third Division	Judge Timothy L. Nolan Newport, Kentucky
Eighteenth Judicial District First Division	Judge Wayne W. Fitzgerald Cynthiana, Kentucky
Eighteenth Judicial District Second Division	Judge G. A. Famularo Mt. Olivet, Kentucky
Nineteenth Judicial District	Judge Robert I. Gallenstein Maysville, Kentucky
Twentieth Judicial District	Judge James W. Lyon, Sr. Greenup, Kentucky
Twenty-First Judicial District First Division	Judge James M. Richardson Owingsville, Kentucky

Twenty-First Judicial District Second Division	Judge James E. Clay Morehead, Kentucky
Twenty-Second Judicial District First Division	Judge H. Scott Baesler Lexington, Kentucky
Twenty-Second Judicial District Second Division	Judge John R. Adams Lexington, Kentucky
Twenty-Second Judicial District Third Division	Judge Michael B. Roney Lexington, Kentucky
Twenty-Second Judicial District Fourth Division	Judge John M. Famularo Lexington, Kentucky
Twenty-Second Judicial District Fifth Division	Judge Julia K. Tackett Lexington, Kentucky
Twenty-Second Judicial District Sixth Division	Judge Don C. Paris Lexington, Kentucky
Twenty-Third Judicial District	Judge Billy L. Wilson Irvine, Kentucky
Twenty-Fourth Judicial District First Division	Judge John A. Gardner Paintsville, Kentucky
Twenty-Fourth Judicial District Second Division	Judge Daniel R. Sparks Louisa, Kentucky
Twenty-Fifth Judicial District First Division	Judge William T. Jennings Richmond, Kentucky
Twenty-Fifth Judicial District Second Division	Judge George W. Robbins Richmond, Kentucky
Twenty-Fifth Judicial District Third Division	Judge John Paul Moore Winchester, Kentucky
Twenty-Sixth Judicial District	Judge Charles T. Cornett Harlan, Kentucky
Twenty-Seventh Judicial District First Division	Judge Lewis B. Hopper Barbourville, Kentucky
Twenty-Seventh Judicial District Second Division	Judge Robert W. Dyche London, Kentucky

Twenty-Eighth Judicial District First Division	Judge Daniel J. Venters Somerset, Kentucky
Twenty-Eighth Judicial District Second Division	Judge Walter F. Maguire Somerset, Kentucky
Twenty-Ninth Judicial District First Division	Judge H. Myer Garner Liberty, Kentucky
Twenty-Ninth Judicial District Second Division	Judge A. Thomas Davis Tompkinsville, Kentucky
Thirtieth Judicial District First Division	Judge Glenn McDonald Louisville, Kentucky
Thirtieth Judicial District Second Division	Judge Thomas O. Garvey Louisville, Kentucky
Thirtieth Judicial District Third Division	Judge Martin E. Johnstone Louisville, Kentucky
Thirtieth Judicial District Fourth Division	Judge James C. Nicholson Louisville, Kentucky
Thirtieth Judicial District Fifth Division	Judge Joseph T. Ray Louisville, Kentucky
Thirtieth Judicial District Sixth Division	Judge John S. Milliken, Jr. Louisville, Kentucky
Thirtieth Judicial District Seventh Division	Judge Thomas J. Knopf Louisville, Kentucky
Thirtieth Judicial District Eighth Division	Judge H. Collis Reid, Jr. Louisville, Kentucky
Thirtieth Judicial District Ninth Division	Judge Ellen B. Ewing Louisville, Kentucky
Thirtieth Judicial District Tenth Division	Judge Donald J. Eckerle Louisville, Kentucky
Thirtieth Judicial District Eleventh Division	Judge Howard N. Bowles Louisville, Kentucky
Thirtieth Judicial District Twelfth Division	Judge Daniel A. Schneider Louisville, Kentucky
Thirtieth Judicial District Thirteenth Division	Judge Ken G. Corey Louisville, Kentucky

Thirtieth Judicial District Fourteenth Division	Judge Richard J. FitzGerald Louisville, Kentucky
Thirtieth Judicial District Fifteenth Division	Judge William E. McAnulty, Jr. Louisville, Kentucky
Thirtieth Judicial District Sixteenth Division	Judge Alan J. Farber Louisville, Kentucky
Thirtieth Judicial District Seventeenth Division	Judge Thomas B. Merrill Louisville, Kentucky
Thirtieth Judicial District Eighteenth Division	Judge Leon M. Eichenholz Louisville, Kentucky
Thirtieth Judicial District Nineteenth Division	Judge Robert E. Delahanty Louisville, Kentucky
Thirtieth Judicial District Twentieth Division	Vacant
Thirtieth Judicial District Twenty-First Division	Judge Charles D. Scott Louisville, Kentucky
Thirtieth Judicial District Twenty-Second Division	Judge Donald L. Smalley Louisville, Kentucky
Thirtieth Judicial District Twenty-Third Division	Judge John K. Carter Louisville, Kentucky
Thirty-First Judicial District	Judge Harold Stumbo Prestonsburg, Kentucky
Thirty-Second Judicial District First Division	Judge Edwin D. Rice Catlettsburg, Kentucky
Thirty-Second Judicial District Second Division	Judge John A. Simpson Catlettsburg, Kentucky
Thirty-Third Judicial District	Judge Stephen L. Tackett Hazard, Kentucky
Thirty-Fourth Judicial District First Division	Judge Samuel S. Cannon Corbin, Kentucky
Thirty-Fourth Judicial District Second Division	Judge Charles B. Upton Williamsburg, Kentucky

Thirty-Fifth Judicial District First Division	Judge Richard Elswick Pikeville, Kentucky
Thirty-Fifth Judicial District Second Division	Judge H. Randall Starnes Pikeville, Kentucky
Thirty-Sixth Judicial District	Judge John R. Morgan Hindman, Kentucky
Thirty-Seventh Judicial District	Judge Samuel C. Long West Liberty, Kentucky
Thirty-Eighth Judicial District First Division	Judge Robert E. Hawley Hartford, Kentucky
Thirty-Eighth Judicial District Second Division	Judge Perry Lewis Hartford, Kentucky
Thirty-Ninth Judicial District	Judge James L. King Stanton, Kentucky
Fortieth Judicial District First Division	Judge E. Gordon Bertram, Jr. Monticello, Kentucky
Fortieth Judicial District Second Division	Judge Jack B. Miller Jamestown, Kentucky
Forty-First Judicial District First Division	Judge Robert C. Muncy Hyden, Kentucky
Forty-First Judicial District Second Division	Judge Oscar Gayle House Manchester, Kentucky
Forty-Second Judicial District	Judge Sid Easley Murray, Kentucky
Forty-Third Judicial District	Judge Benjamin Dickinson Glasgow, Kentucky
Forty-Fourth Judicial District	Judge Kelly Clore Pineville, Kentucky

Forty-Fifth Judicial District	Judge John W. Willis Greenville, Kentucky
Forty-Sixth Judicial District First Division	Judge Melvin K. Duke Hardinsburg, Kentucky
Forty-Sixth Judicial District Second Division	Judge R. Randolph Behnken Leitchfield, Kentucky
Forty-Seventh Judicial District	Judge Randall T. Bentley Whitesburg, Kentucky
Forty-Eighth Judicial District First Division	Judge William L. Graham Frankfort, Kentucky
Forty-Eighth Judicial District Second Division	Judge Roger L. Crittenden Frankfort, Kentucky
Forty-Ninth Judicial District	Judge Clyde M. Thomas Franklin, Kentucky
Fiftieth Judicial District First Division	Judge Darren W. Peckler Danville, Kentucky
Fiftieth Judicial District Second Division	Judge Harold S. Burks Harrodsburg, Kentucky
Fifty-First Judicial District First Division	Judge Harvey G. Ershig Henderson, Kentucky
Fifty-First Judicial District Second Division	Judge M. S. Mahurin Henderson, Kentucky
Fifty-Second Judicial District	Judge John T. Daughaday Mayfield, Kentucky
Fifty-Third Judicial District First Division	Judge Fred W. Bond Shelbyville, Kentucky
Fifty-Third Judicial District Second Division	Judge Ollie J. Bowen Lawrenceburg, Kentucky

Fifty-Fourth Judicial District First Division	Judge Robert F. Greene Burlington, Kentucky
Fifty-Fourth Judicial District Second Division	Judge Robert L. Hall Burlington, Kentucky
Fifty-Fifth Judicial District	Judge Frederic N. Friske Shepherdsville, Kentucky
Fifty-Sixth Judicial District First Division	Judge J. Gordon Lisanby Eddyville, Kentucky
Fifty-Sixth Judicial District Second Division	Judge Chappell R. Wilson Cadiz, Kentucky

Note: All terms expire December 31, 1981. The foregoing directory of District Judges has been updated to March 1, 1981, for current information purposes, and includes nine additional district judges approved by the Kentucky General Assembly. Elections were held in November 1980, to fill new judgeships in the 4th, 10th, 15th, 24th, 34th, 40th, 41st, 48th and 50th Judicial Districts.

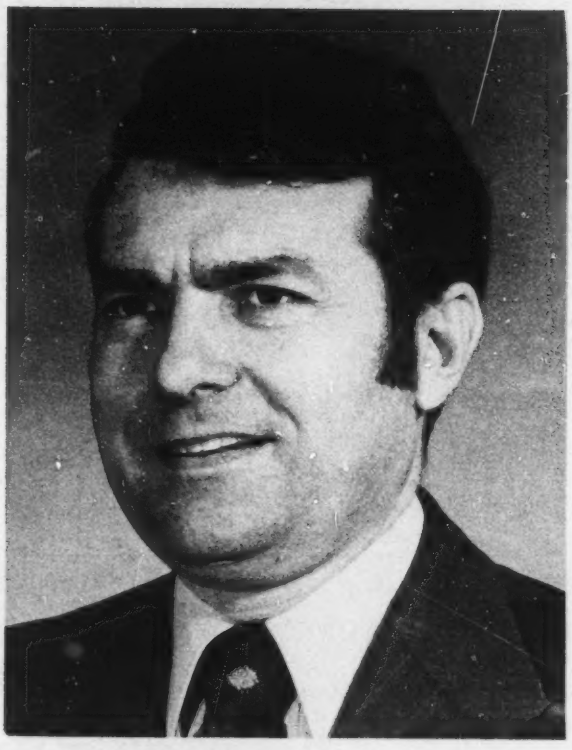
Arthur M. Walson
President
Kentucky Circuit Clerks' Association

Arthur M. Walson, Clark County Circuit Court Clerk, is currently in his third term as president of the Kentucky Circuit Clerks' Association.

Mr. Walson, 43, was elected Circuit Court Clerk of Clark County in 1975 and is unopposed in his bid for re-election. He serves on the Kentucky Judicial Council and is a member of the Advisory Council on Paralegal Studies at Midway College.

He is a director of the Natural Bridge State Park Association, a member of the Downtown Revitalization Committee and of the Kiwanis Club. Mr. Walson is a member of the Corinth Baptist Church.

He and his wife, Billie Jo, reside in Winchester, and have one son, Jeffery.



John C. Scott
Clerk
Supreme Court
and
Court of Appeals

John C. Scott was appointed Clerk of the Supreme Court in December 1979 and Clerk of the Court of Appeals in February 1977, serving as the first clerk of Kentucky's new intermediate appellate court. From 1964-1977, he was Chief Deputy Clerk of the old Court of Appeals (now the Supreme Court).

Prior to his court service, Mr. Scott worked for the Kentucky Department of Transportation, a retail clothing business, and was a multiple line insurance agent. He was elected a commissioner for the City of Frankfort from 1960-1962.

Mr. Scott is an elder at Highland Christian Church and is a charter member of the National Conference of Appellate Court Clerks, hosting its first annual meeting in August 1974 in Louisville.

CLERKS OF COURT

The efficiency of the Court of Justice is dependent in large part upon the Clerks of Court. Under the provisions of the Constitution there is a Clerk of the Supreme Court, a Clerk of the Court of Appeals, and a Circuit Court Clerk who serves both the circuit and district courts within each respective circuit.

A necessary adjunct to the appellate and trial courts, the clerks have the responsibility to maintain custody, control and safe storage of court records, to maintain accountability for financial transactions, and to assist the court in the orderly and systematic disposition of court matters.

Clerk of the Supreme Court and the Court of Appeals

Since 1850, the Clerk of the Supreme Court (formerly the Court of Appeals) has been a statewide elected official. Although Section 114(1) of the Judicial Article of the present Kentucky Constitution provides that "the Supreme Court shall appoint a clerk to serve as it shall determine," the transitional schedule attached to the constitutional amendment adopted in 1975 retained the elected clerk until the expiration of the existing term of office. The individual who occupied the office was elected Lieutenant Governor of the Commonwealth, and vacated the office upon the occasion of her inauguration on December 11, 1979. On that date, the Supreme Court appointed its Clerk in accordance with the constitutional provisions. The Clerk of the Court of Appeals, whose appointment is provided for in Section 114(2), was chosen to serve as Clerk of both appellate courts.

The duties and responsibilities of the clerks of the appellate courts are defined by rule of court rather than by statute. Both offices are funded by appropriations to the Court of Justice.

Circuit Court Clerks

Section 114(3) of the Constitution states that the clerks of the circuit courts shall be elected, and that they shall serve as clerks of the district court. There is one circuit clerk elected in each of Kentucky's 120 counties, for a term of six years, and the number of deputies assigned to each clerk and their respective salaries is regulated by the Administrative Office of the Courts, in conformance with criteria upon which appropriations are made by the General Assembly.

The general duties and responsibilities of the Circuit Clerks are contained in Chapter 30A of the Kentucky Revised Statutes. Specific duties are outlined in the Kentucky Circuit Clerk's Manual, which under Civil Rule 1 and Criminal Rule 1.02 of the Kentucky Supreme Court, has the force and effect of a rule of court.

CLERK OF THE SUPREME COURT

John C. Scott
Frankfort

CLERK OF THE COURT OF APPEALS

John C. Scott
Frankfort

CIRCUIT COURT CLERKS

Mr. William M. Ballou
Adair Circuit Clerk
Columbia

Mr. W. E. Marcrum
Allen Circuit Clerk
Scottsville

Ms. Lucille E. Duncan
Anderson Circuit Clerk
Lawrenceburg

Ms. Judy Giles Vance
Ballard Circuit Clerk
Wickliffe

Ms. Frances D. McQuown
Barren Circuit Clerk
Glasgow

Mr. Louis Crouch
Bath Circuit Clerk
Owingsville

Mr. Homer Howard
Bell Circuit Clerk
Pineville

Ms. Mabel C. Benson
Boone Circuit Clerk
Burlington

Ms. Mabel S. Frank
Bourbon Circuit Clerk
Paris

Mr. Russell E. Compton
Boyd Circuit Clerk
Catlettsburg

Ms. Lucille H. Bruce
Boyle Circuit Clerk
Danville

Ms. Catherine A. Rigg
Bracken Circuit Clerk
Brooksville

Mr. Thomas Howard
Breathitt Circuit Clerk
Jackson

Mr. Robert T. Smith
Breckinridge Circuit Clerk
Hardinsburg

Ms. Nancy Strange
Bullitt Circuit Clerk
Shepherdsville

Ms. Christine P. Coleman
Butler Circuit Clerk
Morgantown

Ms. Irene B. Denham
Caldwell Circuit Clerk
Princeton

Ms. Frances W. Shea
Calloway Circuit Clerk
Murray

Mr. Edward J. Blau
Campbell Circuit Clerk
Newport

Ms. Addie S. Sams
Carlisle Circuit Clerk
Bardwell

Mr. William Wheeler
Carroll Circuit Clerk
Carrollton

Mr. Roy T. Gee
Carter Circuit Clerk
Grayson

Mr. Ray L. Overstreet
Casey Circuit Clerk
Liberty

Mr. Jack Haddock
Christian Circuit Clerk
Hopkinsville

Mr. Arthur M. Walson
Clark Circuit Clerk
Winchester

Ms. Ann M. Hill
Clay Circuit Clerk
Manchester

Mr. Clement Shelley
Clinton Circuit Clerk
Albany

Ms. Anna Gilbert
Crittenden Circuit Clerk
Marion

Mr. Paul E. Spear
Cumberland Circuit Clerk
Burkesville

Mr. Patrick H. Hardesty
Daviess Circuit Clerk
Owensboro

Ms. Ann Stewart
Edmonson Circuit Clerk
Brownsville

Mr. Charles E. Sparks
Elliott Circuit Clerk
Sandy Hook

Ms. Lena B. Henry
Estill Circuit Clerk
Irvine

Mr. Robert M. True
Fayette Circuit Clerk
Lexington

Ms. Jean M. Fleming
Fleming Circuit Clerk
Flemingsburg

Mr. Frank DeRossett
Floyd Circuit Clerk
Prestonsburg

Ms. Eunice Moore
Franklin Circuit Clerk
Frankfort

Ms. Ruth S. Johnson
Fulton Circuit Clerk
Hickman

Ms. Mellanee B. Bledsoe
Gallatin Circuit Clerk
Warsaw

Mr. Fred Simpson, Jr.
Garrard Circuit Clerk
Lancaster

Ms. Frances Blackburn
Grant Circuit Clerk
Williamstown

Mr. Frank Yates
Graves Circuit Clerk
Mayfield

Mr. E. C. Gibson
Grayson Circuit Clerk
Leitchfield

Ms. Judy B. Milby
Green Circuit Clerk
Greensburg

Mr. Donald B. Crum, Sr.
Greenup Circuit Clerk
Greenup

Ms. Merle H. Divine
Hancock Circuit Clerk
Hawesville

Ms. Wyla Mae Long
Hardin Circuit Clerk
Elizabethtown

Mr. Paul F. Williams
Harlan Circuit Clerk
Harlan

Mr. John W. Kearns
Harrison Circuit Clerk
Cynthiana

Mr. Conroy Harris
Hart Circuit Clerk
Munfordville

Mr. George T. Raber
Henderson Circuit Clerk
Henderson

Ms. Anna L. Harper
Henry Circuit Clerk
New Castle

Ms. Ola Carolyn Kimbell
Hickman Circuit Clerk
Clinton

Ms. Reba K. Free
Hopkins Circuit Clerk
Madisonville

Mr. Don Hays
Jackson Circuit Clerk
McKee

Mr. Paulie Miller
Jefferson Circuit Clerk
Louisville

Mr. Vernon C. Burton
Jessamine Circuit Clerk
Nicholasville

Mr. Kenneth Williams
Johnson Circuit Clerk
Paintsville

Mr. Edward F. Schroeder
Kenton Circuit Clerk
Covington

Mr. Carlos J. Huff
Knott Circuit Clerk
Hindman

Mr. Floyd R. Sowders
Knox Circuit Clerk
Barbourville

Ms. Ruth Ann Cruse
Larue Circuit Clerk
Hodgenville

Mr. Elden F. Keller
Laurel Circuit Clerk
London

Ms. Martha S. Kiser
Lawrence Circuit Clerk
Louisa

Ms. Nina S. Cockerham
Lee Circuit Clerk
Beattyville

Ms. Effie M. Couch
Leslie Circuit Clerk
Hyden

Ms. Macie D. Warf
Letcher Circuit Clerk
Whitesburg

Mr. Bruce K. Swearingen
Lewis Circuit Clerk
Vanceburg

Ms. Edith M. Cox
Lincoln Circuit Clerk
Stanford

Ms. Connie Myrick
Livingston Circuit Clerk
Smithland

Mr. Jim W. Nealy
Logan Circuit Clerk
Russellville

Mr. James C. Campbell
Lyon Circuit Clerk
Eddyville

Mr. Alfred Obermark
McCracken Circuit Clerk
Paducah

Mr. Robert L. Hatfield
McCreary Circuit Clerk
Whitley City

Mr. Richard Reno
McLean Circuit Clerk
Calhoun

Ms. Edric W. Newman
Madison Circuit Clerk
Richmond

Mr. James E. Allen
Magoffin Circuit Clerk
Salyersville

Mr. Raymond Dant
Marion Circuit Clerk
Lebanon

Mr. W. J. Brien, Jr.
Marshall Circuit Clerk
Benton

Ms. Carolynn P. Horn
Martin Circuit Clerk
Inez

Mr. Ed Tolle
Mason Circuit Clerk
Maysville

Mr. Charles K. Medley
Meade Circuit Clerk
Brandenburg

Mr. Thomas C. Peck
Menifee Circuit Clerk
Frenchburg

Mr. R. H. Gash, Jr.
Mercer Circuit Clerk
Harrodsburg

Ms. Mary Shive
Metcalfe Circuit Clerk
Edmonton

Ms. Jessie S. Curtis
Monroe Circuit Clerk
Tompkinsville

Ms. Paula Duncan
Montgomery Circuit Clerk
Mt. Sterling

Ms. Alice H. Franklin
Morgan Circuit Clerk
West Liberty

Ms. Jo Nell Peveler
Muhlenberg Circuit Clerk
Greenville

Ms. Marie K. Guthrie
Nelson Circuit Clerk
Bardstown

Ms. Beulah M. Hughes
Nicholas Circuit Clerk
Carlisle

Mr. Leslie C. White
Ohio Circuit Clerk
Hartford

Ms. Laura R. Hargrove
Oldham Circuit Clerk
LaGrange

Ms. Thelma R. Marston
Owen Circuit Clerk
Owenton

Mr. Mike Mays
Owsley Circuit Clerk
Booneville

Ms. Mary R. Klaber
Pendleton Circuit Clerk
Falmouth

Mr. Chester Jones
Perry Circuit Clerk
Hazard

Ms. Betty Prater Justice
Pike Circuit Clerk
Pikeville

Ms. Lillian W. Harrison
Powell Circuit Clerk
Stanton

Mr. Delvin Holt
Pulaski Circuit Clerk
Somerset

Ms. Audra Dryden
Robertson Circuit Clerk
Mt. Olivet

Mr. Money E. Cummins
Rockcastle Circuit Clerk
Mt. Vernon

Mr. Wathan Armstrong
Rowan Circuit Clerk
Morehead

Mr. R. O. McFarland
Russell Circuit Clerk
Jamestown

Mr. Glenn Juett
Scott Circuit Clerk
Georgetown

Ms. Ann Trimble
Shelby Circuit Clerk
Shelbyville

Ms. Bonnye H. Moody
Simpson Circuit Clerk
Franklin

Ms. Edna M. Inghram
Spencer Circuit Clerk
Taylorsville

Mr. Virgil T. Newcomb
Taylor Circuit Clerk
Campbellsville

Mr. James Groves
Todd Circuit Clerk
Elkton

Mr. Kenneth Oakley
Trigg Circuit Clerk
Cadiz

Ms. Doris S. Clem
Trimble Circuit Clerk
Bedford

Mr. Haynes Timmons
Union Circuit Clerk
Morganfield

Mr. John P. Hanes
Warren Circuit Clerk
Bowling Green

Mr. Cecil McMillin
Washington Circuit Clerk
Springfield

Ms. Geneva A. Abbott
Wayne Circuit Clerk
Monticello

Ms. Patsy H. Chandler
Webster Circuit Clerk
Dixon

Mr. Dennis R. Patrick
Whitley Circuit Clerk
Williamsburg

Ms. Jean T. Smith
Wolfe Circuit Clerk
Campton

Ms. Lelia C. Nave
Woodford Circuit Clerk
Versailles

Note: All terms expire December 31, 1981. The foregoing directory of Circuit Clerks has been updated to March 1, 1981, for current information purposes.

THE JUDICIAL COUNCIL

THE JUDICIAL RETIREMENT
AND REMOVAL COMMISSION

THE JUDICIAL NOMINATING COMMISSIONS

THE JUDICIAL PLANNING COMMITTEE

THE JUDICIAL COUNCIL

The Kentucky Judicial Council serves in an advisory capacity to the Supreme Court by acting as a forum for a continuing study of the Court of Justice. The Council, created by statute (KRS 27A.100), meets regularly in the course of each year and makes recommendations to the Supreme Court concerning rules, legislation, administrative matters, and court operations.

The ex-officio membership of the Judicial Council includes the Chief Justice of the Supreme Court or his designee from among that court; the Chief Judge of the Court of Appeals or his designee; the President of the Kentucky Association of Circuit Clerks; and the Chairmen of the Judiciary Committees of the Kentucky General Assembly. Members appointed to four-year terms by the Chief Justice include four circuit judges, whose terms expire May 20, 1982; four district judges, whose terms expire January 2, 1981; and three members of the Kentucky Bar Association, whose terms expire June 1, 1984. The Director of the Administrative Office of the Courts serves as secretary to the Council.

Membership of the Judicial Council is as follows:

Chief Justice John S. Palmore, Chairman
Chief Judge John P. Hayes
Judge Henry V. Pennington
Judge James S. Chenault
Judge Robert Helton, Jr.
Judge Thomas B. Spain
Judge Robert E. Delahanty
Judge Robert L. Hall
Judge Walter F. Maguire
Judge James R. Daniels
Mr. Arthur M. Walson
Fred G. Francis, Esquire
Charles Landrum, Jr., Esquire
George S. Wilson, III, Esquire
Senator Edward H. O'Daniel
Senator Tom Easterly
Representative James LeMaster

The Judicial Council reviewed Court of Justice legislation drafted during 1979 and recommended proposed legislation to the Supreme Court. Indicative of this activity, a bill was reviewed and recommended for introduction to the 1979 Special Session of the General Assembly which would have eliminated court costs in traffic cases, docket and conviction taxes, and retained traffic fine increases imposed in 1978. The General Assembly lowered the court costs and repealed the docket and conviction taxes.

In preparation for the 1980 Regular Session of the General Assembly, the Judicial Council reviewed and recommended legislative drafts in other areas of interest to the Court of Justice. Among the recommendations to the Supreme Court were: a proposal to revise substantially the statutory court facilities reimbursement provisions to assist local units of government in the renovation and construction of court facilities; a bill to increase the salaries of judges and clerks in the Court of Justice and to provide annual cost-of-living increments; a proposal to provide retired judges increments in their pension, and a recommendation to establish 22 additional district judgeships and four circuit judgeships.

In addition, the Council reviewed and recommended to the Supreme Court proposed legislation from the Mental Health Advisory Committee created at the request of the Judicial Council. The mental health bill prepared by the committee would have substantially revised court proceedings in mental health cases.

Court rules were studied by the Judicial Council during 1979 and 1980. The Criminal Rules Revision Committee, created at the request of the Judicial Council, continued its work studying the Rules of Criminal Procedure and completed the review in the spring of 1980, and a report of its recommendations was made to the Judicial Council for its consideration in July 1980. A number of revisions to the Code of Judicial Conduct were examined by the Council with ultimate recommendations which would change the time restrictions for solicitation of campaign funds, place attorneys running for judicial office under the same provisions of the Code as sitting judges, and prohibit a district court trial commissioner from practicing criminal law in the district court in which he serves.

The Judicial Council also studied the problem of judges requesting advisory opinions on judicial ethics questions arising under the Code of Judicial Conduct. The creation of the five-member Judicial Ethics Committee was a result of the Council's recommendation. The Committee, composed of representatives from both the bench and bar, issues advisory opinions regarding prospective activities of judges to apprise them of the applicability of the Judicial Canons of Ethics to the activities anticipated.

The Judicial Council, in early 1979, reviewed and discussed a proposed Court of Justice records retention and disposal schedule from the Administrative Office of the Courts (AOC). After making several amendments to the proposal, the Judicial Council approved the schedule and recommended such to the Supreme Court for approval. The schedule was promulgated by Supreme Court rule shortly thereafter.

A variety of other issues was addressed by the Council during this past year. At the request of the Council, information was compiled by the AOC and distributed to all district judges in the state which included information on each county's past and present court revenues, base court revenue returns and court facilities reimbursement to local governments. At the recommendation of the Council, a Public Information Section was established in the AOC and an education program on sentencing practices was conducted for judges in April 1980. In addition, pursuant to a Judicial Council request, the Division of Pretrial Services continues to experiment with the results of an analysis and revision of Kentucky's pretrial release point scale.

Kentucky's chief circuit regional judges met and discussed the regional administration program, as recommended by the Council. Subsequent to the meeting, the chief regional judges recommended that the regional charter be revised to improve the assignment process at the regional level by expanding and clarifying the authority of the chief regional judge. The suggested revision was approved by the Supreme Court.

The Judicial Council also advised that there should be more local involvement in the building of the Court of Justice budget request for the 1980-82

budget, and in the spring of 1979 the first attempt at budget compilation from local unit requests was made. This effort will continue during 1981 when the next biennial budget request is prepared.

Finally, the Judicial Council gave its support to an official circuit court reporters' certification program for which planning is underway.

THE JUDICIAL RETIREMENT AND REMOVAL COMMISSION
1976 to 1980
THE FIRST FOUR YEARS

A. Introduction

The Judicial Retirement and Removal Commission was created by Section 121 of the Kentucky Constitution. Commission jurisdiction extends to all judges of the Supreme Court, Court of Appeals, Circuit Court, and District Court. Supreme Court Rule 4.020 gives the Commission the authority to take the following action:

(1) To order a temporary or permanent retirement of any judge whom it finds to be suffering a mental or physical disability that seriously interferes with the performance of his duties;

(2) To issue a private reprimand or public censure or to suspend without pay or remove or retire any judge whom it finds to be guilty of any one or more of the following: misconduct; persistent failure to perform his duties; incompetence; habitual intemperance; violation of the code of judicial conduct, Rule 4.300; any willful refusal or persistent failure to conform to official policies and directives adopted by the Supreme Court and issued by the Chief Justice in his constitutional capacity as chief executive officer of the Court of Justice; or to remove a judge whom it finds to lack the constitutional and statutory qualifications for the judgeship in question. Orders of the Commission are reviewable by the Supreme Court.

The Kentucky Judicial Retirement and Removal Commission, which met for the first time on December 7, 1976, is consistent with the American Bar Association standards which call for judicial conduct commissions in the states. All state jurisdictions within the United States have established some type of

formal system to deal with the discipline of judges. Efforts have been made in Congress to create a similar mechanism for Federal Judges.

It is not suggested that an increase in unethical conduct has served as the basis for establishment of judicial conduct commissions to hear and resolve allegations of misconduct on the part of state judges. Rather, three reasons are generally advanced for these developments: dissatisfaction with legislative removal actions such as impeachment, the court reform mood of the last two decades, and the demand for increased accountability of all public officials. The public has higher expectations of that which constitutes acceptable standards of conduct and performance in public service than ever before. Further, it must be recognized that judges have a unique role in society and community expectations regarding acceptable behavior for judges are higher than for other public officials.

The traditional method of dealing with judicial misconduct was impeachment. Although the impeachment process is preserved in Kentucky, it is generally considered to be ineffective, cumbersome, subject to political manipulation, and seldom used. Assuming that the legislature could be called to action promptly in all situations deserving attention, partisan allegations cannot be avoided and the rights of the judges are poorly protected. A disciplinary system which operates within the judicial branch as opposed to the legislative branch of government is recognized as better adapted to fair, expeditious, and comparatively inexpensive disposition of all types of misconduct allegations and disability situations. History shows that some judges do engage in conduct which is incompatible with impartial decision making, yet such conduct is generally found to be immune from legislative regulation because it fails to rise to the level of an impeachable offense.

The American Bar Association Code of Judicial Conduct asserts that "an independent and honorable judiciary is indispensable to justice in our society." Consistent with the foregoing paraphrased statement, it is clear that society has a vital interest in preserving an independent judiciary, free from social or political influence. To maintain an independent and honorable judiciary, some effective method of holding judges accountable for their actions must be available for the relatively rare case in which it is needed. An unfit judge damages the reputation

of all judges and the entire judicial system. A code including enforcement procedures, exists in Kentucky and disciplinary sanctions are available for both minor and major problems which may occur. The Commission has the difficult responsibility to enforce the Code and protect the interests and independence of the individual judge. This difficult balance is further exacerbated by the overriding recognition that the litigant, in each controversy, as well as the public at large must continue to respect the judicial process and the Commission is in a position to represent the public interest.

Cases from other jurisdictions can be generally categorized in the areas of unfitness due to age or illness and judicial misconduct. Judicial misconduct can be further divided into misconduct in office and misconduct apart from the judicial function. Specific cases in this latter category deal with excessive drinking, political activity, or conflicting business activities, and the reported cases stress the propriety of disciplining judges whose conduct may bring the entire judiciary into disrepute. The cases note that the motivating factor behind judicial discipline is not to punish judges, but to increase court efficiency, and to protect litigants from the detrimental effects of facing a disabled or unethical judge. These motivations provide protection to the public and preserve the integrity of the judicial process while maintaining public confidence in the judiciary. Further, it is generally recognized that the mere presence of such commissions creates a greater awareness of proper judicial behavior on the part of judges themselves.

An evaluation of operating commissions throughout the country suggests that they have been more responsive to the full range of judicial disability and judicial conduct problems than the traditional legislative removal process. It is generally agreed that the impact of retirement and removal commissions has been favorable and not a serious detriment to judicial independence. The existence of such entities reinforces public confidence in the integrity of the courts. It must, however, be recognized that the overwhelming majority of judges are honest, capable, and totally devoted to the fair and impartial administration of justice. However, this does not lessen the commissions' responsibility to correct weaknesses and to serve the purpose of improving the administration of justice.

In an attempt to establish and maintain appropriate standards of conduct and consistency of construction of those standards, an advisory opinion mechanism is created by SCR 4.310. The Judicial Ethics Committee is charged with the responsibility of rendering advisory opinions regarding the propriety of any act or conduct and the construction or application of the Canons from the Code of Judicial Conduct. The Code was adopted by the American Bar Association in 1972 to replace the Canons of Judicial Ethics which were issued over 50 years ago. The American Bar Association Code of Judicial Conduct is incorporated with minor revisions into Kentucky Supreme Court Rule 4.300.

The Kentucky Judicial Conference held in May 1979 offered explanatory programs regarding judicial ethics and the disciplinary process. The purpose of the seminar was to explain the procedures and practices of the Commission and to provide, with the assistance of out-of-state experts, a national perspective on judicial ethics and the disciplinary process. In addition to the Kentucky commission members, out-of-state speakers participating were: Rubin Cohn, University of Illinois Law School; Frank Jamison, University of Denver School of Law; Robert Martiniau, University of Dayton School of Law; and Laurence Katz, Dean of the University of Baltimore Law School.

B. Organization and Procedures

The Judicial Retirement and Removal Commission operates independently of the Administrative Office of the Courts. The budget for the Commission is, however, a component of the budget of the Court of Justice. The Commission usually meets once a month, at which time correspondence and complaints are reviewed by the full Commission. The Commission has developed a general pattern of inviting judges in for an informal appearance before authorizing a preliminary investigation when a complaint is received which states allegations within the Commission's jurisdiction. This informal appearance may end the Commission's consideration of a complaint without any type of formal sanction being taken. Where, however, the situation warrants an investigation, the Commission may authorize a preliminary investigation. Several matters have been resolved following a preliminary investigation and informal appearance by the issuance of a private reprimand. For educational purposes, the Commission has

followed the practice of publishing the facts which gave rise to private reprimands in the Bar Association Newsletter. This is done with the judge's consent and without disclosing the identity of the judge. Before a preliminary investigation is conducted, the judge is given notice, and prior to the initiation of formal proceedings, the Commission must give the judge the opportunity to examine all factual information, including the name of the complainant, and give the judge the opportunity to supply any information which he or she wishes. The procedural rules provide for confidentiality of Commission proceedings.

C. Membership of the Kentucky Retirement and Removal Commission

As provided in the Kentucky Constitution, Section 121, the membership of the Retirement and Removal Commission includes one judge of the Court of Appeals, selected by that court, one circuit judge and one district judge selected by a majority vote of the circuit judges and district judges, respectively, one member of the bar appointed by its governing body, and two persons, not members of the bench or bar, appointed by the governor.

The applicable Supreme Court rule provides that the chairman and vice-chairman are elected by the members of the Commission, but that the judge members are not eligible to serve as chairman or vice-chairman. From a public perspective, this is thought to demonstrate impartiality and independence, yet the judge members are in the majority and provide the necessary expertise.

Current members of the Commission are:

Ben L. Kessinger, Jr., Esquire, Chairman, Lexington
Judge Kenton Cooper, Court of Appeals, Jamestown
Judge N. Mitchell Meade, Circuit Court, Lexington
Judge Ken G. Corey, District Court, Louisville
Ms. Chloe Gifford, Lexington
Mr. Joe M. Rodes, Louisville

Mr. Paul Willis has served as the part-time executive secretary of the Commission since January 1977. A part-time typist is employed, as well as two investigators who work for the Commission as needed.

D. Commission Action

Many more letters and inquiries are received than verified complaints or notarized letters of complaint. The Commission does not act on telephone complaints and generally requires that letters meet the requirements of Rule 4.170, that is, "a written verified complaint alleging facts indicating that there is probable cause for action concerning a judge." The Commission has the authority to act on its own motion, but has used this power infrequently.

Of the complaints received, the majority were from litigants and many are either not within the jurisdiction of the Commission, or are more properly a cause for appeal, or are frivolous or unfounded on their face. A review of the statistics in Table 1 indicates that a high percentage of complaints are dismissed as frivolous or unfounded. Only a small percentage are appropriate for commission pursuit and a number of these are resolved during the informal stage of proceedings.

The complaints received by the Commission since commencing operations may be catagorized as follows:

- Complaints received considered to be frivolous or unfounded.
  - Fourteen concerning circuit judges
  - Six concerning district court judges
  - Two from judges relating to personal physical disability
  - One concerning a district court trial commissioner
  - One concerning a Court of Appeals judge

- Complaints upon which the Commission has authorized some degree of activity.

  - Eight from litigants
  - Three from attorneys
  - Two from bar associations
  - Two from law enforcement officers

- Two the Commission authorized on its own motion
- Two from judges relating to personal physical disability
- One from defendants
- One from an inmate
- One from professional medical personnel
- One from a Grand Jury
- One from a judge

The nature of these complaints fall into the following categories:

- Eleven regarding alleged abuse of judicial authority
- Three regarding alleged political activities (one a contribution to a partisan candidate)
- Three regarding alleged delays in the judicial process
- Two regarding alleged physical disability
- Two regarding alleged personal financial transactions or conflicts of interest situations
- Two regarding ex parte transactions
- One regarding alleged nepotism

The Commission took the following action on the complaints enumerated above:

- Seven were dismissed after an informal investigation
- Five were dismissed after an informal appearance of the judge
- Five private reprimands were issued following preliminary investigations and informal appearances
- One public censure
- Two temporary disabilities ordered
- One permanent retirement ordered, based upon physical disability
- One resignation occurred during the course of the investigation

Actions of the Commission as summarized in the Kentucky Bar Association Newsletter notices are reprinted below.

January 26, 1977. The Judicial Retirement and Removal Commission issued a reprimand to a judge who identified himself with a political party during an election campaign. (Section 117 of the Constitutional amendment ratified in November 1975 reads as follows: Election. Justices of the Supreme Court and Judges of the Court of Appeals, Circuit and District Court shall be elected from their respective districts or circuits on a nonpartisan (emphasis added) basis as provided by law.)

July 21, 1978. The Judicial Retirement and Removal Commission issued a reprimand to a judge who appointed his son to a judicial office. The Commission determined, following an informal hearing, that such action by a judge was a violation of the Code of Judicial Conduct, Rule 4.300 (Canon 3 (B) (4)) of the Supreme Court.

March 9, 1979. The Judicial Retirement and Removal Commission issued a private reprimand to a judge who placed an advertisement in the newspaper stating his endorsement by the executive committee of a particular political party. The Commission determined, following an informal hearing, that this was a violation of Section 117 of the Kentucky Constitution which provides for the nonpartisan election of judges. The Commission, in January 1977, had issued a private reprimand to a judge who identified himself with a political party during an election campaign. A notice to this effect was published in the January 1977 Kentucky Bar Association newsletter (The Reporter, volume 4, no. 1) prior to the action by the judge reprimanded on March 9, 1979.

April 20, 1979. The Judicial Retirement and Removal Commission issued a private reprimand to a judge for violation of Canons 2 (A,B), 3 (A4,B) of the Code of Judicial Conduct (Supreme Court Rule 4.300). The Commission determined, following an informal hearing, that the judge's relationship with his trial commissioner conveyed the impression that the trial commissioner was in a special position to influence him, and that the judge failed to properly supervise the conduct of the trial

commissioner. The Commission also found that the judge signed an ex parte order in violation of Canon 3.

October 13, 1979. The Judicial Retirement and Removal Commission issued a public censure to a circuit judge for violation of Canon 7 of the Code of Judicial Conduct (Kentucky Supreme Court Rule 4.300, Canon 7 A(1)(c)). The judge made a financial contribution to a candidate in a partisan election campaign. The Canon provides that a judge should not make a contribution to a political organization or candidate. The Commission noted that the purpose of this Rule is to restrict the influence or the appearance of influence of partisan politics on the judiciary. The Commission also considered that this was the first violation of Canon 7 A(1)(c) which had come to its attention.

October 26, 1979. The Judicial Retirement and Removal Commission issued a private reprimand to a judge for violation of KRS 454.350 which reads as follows:

(1) Every circuit and district judge shall, when at all possible, issue a written judgment or order in all civil actions which have been submitted for final adjudication within ninety (90) days from the date the action was taken under submission.

(2) Where a report, findings, or recommendations of a commissioner or hearing officer are required by statute or rule as a prerequisite to an order or judgment by the circuit or district court the same shall be filed within ninety (90) days of the conclusion of the trial or hearing at which the commissioner or hearing officer presided.

(3) Every circuit and district judge shall at the end of every month certify in writing to the chief justice of the Supreme Court all cases which have been submitted for final adjudication and certify in writing to the chief justice of the Supreme Court the reason for the delay.

(4) Any district or circuit judge who knowingly violates any of the provisions of this section shall be subject to removal by the Judicial Retirement and Removal Commission.

The judge did not report a case that had been submitted for final adjudication within the 90 day period required by KRS 454.350 (3). One such case had been submitted for adjudication for over one year, but had not been reported.

TABLE 1

STATISTICAL REPORT

KENTUCKY RETIREMENT AND REMOVAL COMMISSION

Dispositions	Fiscal Year 1976-77*	1977-78	1978-79	1979-80
Formal Hearings	0	1	0	1
Removal**	0	0	0	1
Disability Retirement				
Permanent	0	0	1	0
Temporary	0	0	1	0
Public Censure	0	1+	0	1
Private Reprimands	1	0	3	1
Resignations during Preliminary Investigation	0	0	1	0
Complaints Resolved after Informal Investigation	0	0	0	5
Complaints Resolved after Preliminary Investigation	2	0	2	3
Complaints Dismissed as Frivolous or Unfounded	4	7	14	10
Complaints Dismissed as not within Jurisdiction	0	0	0	5
Complaints Resolved after Informal Appearance	3	1	3	6
Pending				
Following Informal Appearance by Judge	-	-	-	1
Correspondence***				
Letters not Constituting a Verified Complaint	Not Tabulated	35	22	15

*First Meeting December 7, 1976
**On Appeal
***Excludes telephone inquiries for information

+See Nicholson v. Judicial Retirement and Removal Commission, 562 S.W. 2d 306, 1978; 573 S.W. 2d 642, 1978.

JUDICIAL NOMINATING COMMISSIONS

Section 118, the Kentucky Constitution, provides that a vacancy in the Court of Justice shall be filled by appointment by the Governor from a list of three names presented to him by the appropriate Judicial Nominating Commission. If the Governor fails to make an appointment within 60 days, the appointment is to be made by the Chief Justice from the list of three nominees. There is one nominating commission for the Supreme Court and the Court of Appeals, one for each judicial circuit and one for each judicial district unless the circuit and district have the same boundary; since all districts and circuits are coterminous, only one commission serves each circuit and district.

The Chief Justice of the Supreme Court is chairman of all judicial nominating commissions. The other six persons include two members of the Bar, elected by their fellow members, and four persons appointed by the Governor, two from each of the two political parties of the Commonwealth having the largest number of voters. A member of a nominating commission must be a resident of the circuit or district he represents and may not hold any other public office or office in a political party or organization. The 1976 General Assembly enacted legislation which provides that members of a nominating commission shall hold office for a term of four years and until such time as their successors are appointed or elected. Members receive no compensation for their services but are entitled to their necessary expenses for each day spent in the performance of their duties.

The Administrative Office of the Courts is responsible for administrative support and maintenance of the records of the various nominating commissions. The costs of maintenance of records and other support provided by the Administrative Office of the Courts, necessary expenses incurred by members of the Commission and election of the representatives of the Bar, are payable out of the State Treasury.

Twenty judicial vacancies were filled through the judicial nominating commission process during the reporting period. Information pertinent to those actions follows in chronological order:

January 9, 1979

Vacancy: 24th Judicial District

Commission Members:

Chief Justice John S. Palmore, Chairman
B. E. Mullins, Esquire
Gene A. Wilson, Esquire
Mr. Callis Kelly
Mr. Eugene Ward
Mr. Robert M. Conley
Mr. Joe A. Young

Nominees:

John A. Gardner, Esquire
James A. Knight, Esquire
John R. Triplett, Esquire

Appointed by the Governor: Judge John A. Gardner

January 26, 1979

Vacancy: 20th Judicial Circuit

Commission Members:

Chief Justice John S. Palmore, Chairman
James R. McGinnis, Esquire
Frank K. Warnock, Esquire
Mr. Raymond Keaton
Mr. Roger Bevins
Mr. James Howes
Mr. James Vergne, Jr.

Nominees:

James D. Atkinson, Jr., Esquire
Jack R. Kibbey, Esquire
Judge James W. Lyon

Appointed by the Governor: Judge James D. Atkinson, Jr.

January 26, 1979

Vacancy: 32nd Judicial Circuit, Division One

Commission Members:

Chief Justice John S. Palmore, Chairman
Robert T. Woods, Esquire
Bunyan S. Wilson, Esquire
Mr. Norman Collingsworth
Mr. Troy Fairchild
Ms. Carolyn Clay
Ms. Sue Artis

Nominees:

Kelly Asbury, Esquire
David O. Welch, Esquire
Lillian D. Williams, Esquire

Appointed by the Governor: Judge Kelley Asbury

January 30, 1979

Vacancy: 28th Judicial District, Division One

Commission Members:

Chief Justice John S. Palmore, Chairman
Charles Adams, Esquire
Vacancy
Mr. Tom Garland
Mr. Jess Turpin
Mr. William Ragle
Mr. James W. Mullins

Nominees:

John T. Mandt, Esquire
Dale Mitchell, Esquire
Daniel J. Venters, Esquire

Appointed by the Governor: Judge Daniel J. Venters

February 14, 1979

Vacancy: 9th Judicial Circuit, Division One

Commission Members:

Chief Justice John A. Palmore, Chairman
Harold Huddleston, Esquire
James M. Collier, Esquire
Mr. William Marple
Mr. John Duplessis
Mr. Raymond Ward
Mr. Ira Pfeiffer

Nominees:

William C. Cooper, Esquire
Paul Lewis, Esquire
Judge James N. Scudder

Appointed by the Governor: Judge William C. Cooper

February 14, 1979

Vacancy: 38th Judicial District, Division One

Commission Members:

Chief Justice John S. Palmore, Chairman
Harry G. Black, Esquire
Gary A. Logsdon, Esquire
Mr. Kelly Luttrell
Ms. Ann Scott
Ms. Kate Bell
Mr. George Duvall

Nominees:

John M. Harlan, Esquire
Robert E. Hawley, Esquire
Luther N. Noreen, Esquire

Appointed by the Governor: Judge Robert E. Hawley

February 21, 1979

Vacancy: Court of Appeals, Fifth Appellate District, Division One

Commission Members:

Chief Justice John S. Palmore, Chairman
Ben T. Cooper, Esquire
Robert G. Lawson, Esquire
Mr. Frank R. Paxton
Mr. Austin Mann
Mr. David A. Sugg
Mr. L. D. Gorman

Nominees:

Judge Paul D. Gudgel
Judge Henry V. Pennington
Larry S. Roberts, Esquire

Appointed by the Governor: Judge Paul D. Gudgel

March 22, 1979

Vacancy: 22nd Judicial District, Division One

Commission Members:

Chief Justice John S. Palmore, Chairman
Robert F. Houlihan, Esquire
W. Van Meter Alford, Esquire
Ms. Ann Hampton
Mr. Lee Powell
Mr. Frank Jenkins
Mr. Roy Tolliver

Nominees:

Henry Scott Baesler, Esquire
John R. Adams, Esquire
David W. Mossbrook, Esquire

Appointed by the Governor: Judge Henry Scott Baesler

April 2, 1979

Vacancy: 22nd Judicial District, Division One

Commission Members:

Chief Justice John S. Palmore, Chairman
Robert F. Houlihan, Esquire
W. Van Meter Alford, Esquire
Ms. Ann Hampton
Mr. Lee Powell
Mr. Frank Jenkins
Mr. Roy Tolliver

Nominees:

John R. Adams, Esquire
Jane E. Graham, Esquire
Don C. Paris, Esquire

Appointed by the Governor: Judge Don C. Paris

May 2, 1979

Vacancy: 16th Judicial Circuit, Division One

Commission Members:

Chief Justice John S. Palmore, Chairman
John J. O'Hara, Esquire
James C. Ware, Esquire
Mr. Robert Boswell
Mr. Lawrence L. Ray
Mr. Robert J. Paul, Jr.
Mr. Thomas Rechtin

Nominees:

Raymond E. Lape, Jr., Esquire
James A. Nolan, Esquire
Judge Douglas A. Stephens

Appointed by the Governor: Judge Raymond E. Lape, Jr.

May 10, 1979

Vacancy:	22nd Judicial District, Division Two
Commission Members:	Chief Justice John S. Palmore, Chairman Robert F. Houlihan, Esquire W. Van Meter Alford, Esquire Ms. Ann Hampton Mr. Lee Powell Mr. Frank Jenkins Mr. Roy Tolliver
Nominees:	John R. Adams, Esquire Jane E. Graham, Esquire David W. Mossbrook, Esquire
Appointed by the Governor:	Judge John R. Adams

October 17, 1979

Vacancy:	56th Judicial Circuit
Commission Members:	Chief Justice John S. Palmore, Chairman Joseph Terry, Esquire William McGee, Esquire Dr. Steven Burkhart Mr. Mitchell Cliff Mr. William Fuller Mr. Bobby Williams
Nominees:	William G. McCaslin, Esquire Willard B. Paxton, Esquire J. Luke Quertermous, Esquire
Appointed by the Governor:	Judge Willard B. Paxton

November 26, 1979

Vacancy:	Court of Appeals, Fourth Appellate District, Division Two
Commission Members:	Chief Justice John S. Palmore, Chairman Ben T. Cooper, Esquire Robert G. Lawson, Esquire Mr. Frank R. Paxton Mr. Austin Mann Mr. David A. Sugg Mr. L. D. Gorman
Nominees:	Robert G. Breetz, Esquire Judge John K. Carter Herman E. Frick, Esquire
Appointed by the Governor:	Judge Robert G. Breetz

November 26, 1979

Vacancy:	Supreme Court, Fifth Appellate District
Commission Members:	Chief Justice John S. Palmore, Chairman Ben T. Cooper, Esquire Robert G. Lawson, Esquire Mr. Frank R. Paxton Mr. Austin Mann Mr. David A. Sugg Mr. L. D. Gorman
Nominees:	Charles M. Landrum, Jr., Esquire Judge N. Mitchell Meade Robert F. Stephens, Esquire
Appointed by the Governor:	Judge Robert F. Stephens

December 4, 1979

Vacancy:	7th Judicial District
Commission Members:	Chief Justice John S. Palmore, Chairman J. Granville Clark, Esquire Michael Kimbley, Esquire Ms. Marie Gamble Mr. Dean Haley, Jr. Mr. Lawrence Forgy, Sr. Mr. Howard Rager
Nominees:	James C. Milam, Esquire Sam G. Milam, Esquire Winford S. Jones, Esquire
Appointed by the Governor:	Judge Winford S. Jones

December 28, 1979

Vacancy:	35th Judicial District, Division One
Commission Members:	Chief Justice John S. Palmore, Chairman William J. Baird, Esquire Donald Combs, Esquire Mr. William Diskins Mr. George Wells Mr. Fon Taylor Mr. Burlin Coleman
Nominees:	Richard L. Elswick, Esquire Will T. Scott, Esquire Phil A. Stalmaker, Esquire
Appointed by the Governor:	Judge Richard L. Elswick

February 19, 1980

Vacancy:	30th Judicial District, Division Fifteen
Commission Members:	Chief Justice John S. Palmore, Chairman Bert T. Combs, Esquire William W. Lawrence, Esquire Ms. Raleigh Porter Mr. J. Robert Burns, Jr. Mr. Walter J. Simon Mr. William C. Buechler
Nominees:	John M. Finnegan, Jr., Esquire Delores H. Hill, Esquire Judge William E. McAnulty, Jr.
Appointed by the Governor:	Judge William E. McAnulty, Jr.

February 27, 1980

Vacancy:	16th Judicial District, Division Two
Commission Members:	Chief Justice John S. Palmore, Chairman John J. O'Hara, Esquire James C. Ware, Esquire Mr. Robert Boswell Mr. Robert J. Paul, Jr. Mr. William Grieme Ms. Alice Sparks
Nominees:	James R. Kruer, Esquire Steven T. McMurtry, Esquire Judy M. West, Esquire
Appointed by the Governor:	Judge Judy M. West

March 21, 1980

Vacancy:	30th Judicial Circuit, Division Eleven
Commission Members:	Chief Justice John S. Palmore, Chairman Bert T. Combs, Esquire William W. Lawrence, Esquire Ms. Raleigh Porter Mr. J. Robert Burns, Jr. Mr. Walter J. Simon Mr. Wililam C. Buechler
Nominees:	Judge Thomas Burton Judge Olga Peers George S. Schumann, Esquire
Appointed by the Governor:	Judge Olga Peers

May 15, 1980

Vacancy:	30th Judicial District, Division Seventeen
Commissioner Members:	Chief Justice John S. Palmore, Chairman Bert T. Combs, Esquire William W. Lawrence, Esquire Ms. Raleigh Porter Mr. J. Robert Burns, Jr. Mr. Walter J. Simon Mr. Wililam C. Buechler
Nominees:	Allen J. Farber, Esquire Michael J. O'Connell, Esquire Scott T. Wendelsdorf, Esquire
Appointed by the Governor:	Judge Allen J. Farber

THE JUDICIAL PLANNING COMMITTEE

The independence and funding needs of the judiciary received additional recognition upon enactment of the Law Enforcement Assistance Administration (LEAA) Reauthorization Act of 1976. The Act provides that the court of last resort in each state may establish a Judicial Planning Committee (JPC) which will plan for the use of federal funds which are available for use by the judicial branch of government.

The Kentucky JPC is composed of the Chief Justice, two judges of the Court of Appeals, six circuit judges, four district judges, four circuit clerks, the director of the Administrative Office of the Courts, and a private attorney.

The JPC met once during 1979 to prepare, review, and approve the Fiscal Year 1980 (FY 80) Judicial Plan and to review grant applications. Pursuant to the federal legislation, the Judicial Plan is updated annually for submission to the LEAA for approval. The plan describes the problems facing the Court of Justice and outlines projects in the following areas: judicial and clerk education, orientation and specialized training, and mediation and misdemeanor diversion. Federal funds available to the Court of Justice through the FY 80 Judicial Plan total $398,566. This relatively small federal award reflects the anticipated phase out of the LEAA. The probability of future funding assistance from LEAA is extremely bleak. Necessary judicial programs and activities which have been supported by LEAA will, if such are to continue, be included in the budget request of the Court of Justice.

In addition to federal assistance provided by LEAA, the Court of Justice also receives funds from the U.S. Department of Transportation through the Kentucky Office of Highway Safety Programs. This funding supports educational programs and other improvements in Kentucky's traffic courts.

Members of the JPC are:

Judge James S. Chenault, Chairman
Chief Justice John S. Palmore
Judge William Gant
Judge Bruce Lester
Judge Benjamin F. Shobe
Judge Phillip K. Wicker
Judge Billy Ray Paxton
Judge Jack E. Mudd
Charles D. Cole, Esquire
Judge William F. Schmaedecke
Judge Sid Easley
Judge Olga Peers
Judge James W. Richardson
Judge Julia K. Tackett
Mr. John Kearns
Mr. Paulie Miller
Mr. Jack Haddock
Mr. Arthur M. Walson
Edwin F. Kagin, Esquire

1979-80 ACTIVE GRANTS

Title: **Records Management/Uniform Forms**
Project Budget: $82,777
Grant Period: July 1, 1976 - June 30, 1978
Continuation Grant: July 1, 1978 - October 31, 1979

Summary: This project developed an efficient records management system for the Court of Justice through the application of sound management techniques, uniform forms, and comprehensive retention and disposal schedules for court records. Two records analysts were hired by the Administrative Office of the Courts and worked with a Records and Forms Advisory Committee throughout the project. The staff assisted in the design of eighty (80) new forms, a reduction from the five hundred (500) previously in use. Numerous field visits were made to various circuit clerk's offices to provide technical assistance in managing records and implementing the records system. The removal of nearly 5000 cubic feet of court records from various clerks' offices for transfer to the Division of Archives and Records has relieved some of the space problems in the offices in question. The project staff also offered microfilming technical assistance at numerous locations throughout the Commonwealth. The project also recommended and secured approval of the cessation of use of legal size paper, and order and judgment books. Comprehensive

retention and disposal schedules for court records have been initiated under the continuation grant, and are currently being evaluated for possible revision to ameliorate the chronic space problems existing in many circuit clerks' offices.

Title: **Jefferson County Juror Utilization and Management Demonstration Project**

Project Budget: $99,858
Grant Period: March 1, 1977 - August 31, 1978
Continuation Grant: September 1, 1978 - August 31, 1979

Summary: This project analyzed the Jefferson County Jury System and instituted various management techniques which result in the more effective utilization of jurors. The project sought to minimize the inconvenience experienced by jury duties while assuring that the needs of the court are met. A jury pool staff was employed and a juror assembly hall was comfortably equipped with chairs and other amenities.

All jurors in Jefferson County are pooled. The project staff continually monitored the number of jurors in the pool and the number actually used in an effort to accurately predict the needs of the court in order that jurors are not called unnecessarily. A substantial savings in juror fees has resulted. Several aspects of the jury system were studied under the auspices of the original grant including selection methods, responsiveness to court needs, jury service methods, randomness, cost, citizen awareness, paperwork, and statutes. A study of the use of various current and alternative source lists was conducted.

The project also experimented with the use of a one-week jury term; however, due to the increased cost of summoning jurors and the increased paper work, the experiment was discontinued.

Paperwork has been reduced by the development of a computerized and alphabetized list for the entire pool. The sign-in procedure developed has also been streamlined for the convenience of the jurors. The project was also successful in

securing funding from the Louisville Bar Association for the production of a slide show orientation for jurors.

Title: **Court of Appeals Staff Attorneys**
Project Budget: $210,000
Grant Period: April 1, 1977 - July 31, 1978
Continuation Grant: August 1, 1978 - December 31, 1979

Summary: This project sought to assist the Court of Appeals in dealing with the large volume of appeals brought before it and the geographical separation of its members by: (a) issue and decision indexing to promote consistency among panels; (b) monitoring and supervising the motion docket; (c) assisting in the scheduling of oral arguments; and (d) supervising the release and distribution of all opinions. A staff of eight (8) attorneys and two (2) secretaries constituted the project staff. The staff attorneys are responsible for supervision of the motion docket, and the preparation of a summary memo on each motion filed which presents a chronological description of the facts preceding the motion to save judge time and facilitate an effective review of the matter.

The staff attorneys are responsible for digesting the issues in all cases docketed, recording the issues in an index bank, and searching the index bank for any similar issues pending. Staff review of the 1,245 cases submitted during 1979 served as a means to determine an appropriate time schedule for oral arguments.

Criminal appeals comprised 245 of the 1,245 submitted cases during the past year. Of these 245 cases, 35 were designated as accelerated, i.e., the issues were simple and straightforward, and research memoranda were prepared by the staff attorneys for consideration by the court.

During the period from January 1, 1979, to December 31, 1979, the Court of Appeals issued 1,131 opinions, for which the staff attorneys were responsible for proofreading, indexing, copying, and distribution. Prior to the release of any opinion, the opinion index bank is searched for any opinions maintaining similar points of law to determine whether there are recent decisions

inconsistent with a proposed opinion. Through this method, the Chief Judge has the option to reassign the case to the entire court under SCR 1.030(7)(d), if the inconsistency cannot be resolved between the two panels involved.

Of the 1,131 opinions issued by the Court, 207 were published. The staff attorneys are responsible for the distribution of both published and unpublished opinions.

Title: **Law Clerks**
Project Budget: $75,000
Grant Period: June 1, 1979 - August 31, 1980

Summary: This project sought to increase the operational efficiency of the Court of Justice by providing judges, whose caseload indicated the necessity, with law clerk assistance. Through the Judicial Planning Committee, it was determined that a law clerk position should be assigned to the Eastern Pilot Region of the Regional Court Administration Project and that a position should be assigned to a region composed of the 45th Judicial Circuit and all coterminous circuits. Two additional positions were assigned to Jefferson and Fayette Counties.

Title: **Court Reporting Equipment**
Project Budget: $361,278
Grant Period: October 1, 1977 - March 31, 1979

Summary: This project was established to provide the electronic court reporting equipment necessary to produce a record of the proceedings in all district courts of the Commonwealth. Originally, the funds were only sufficient to purchase recorders for each district judge and transcribers for each circuit judge. However, the Administrative Office of the Courts secured additional funds to provide for the additional purchase of recorders so that each district court location is now equipped with a recorder.

Title: **Fayette County Mediation Project**
Project Budget: $70,000
Grant Period: October 1, 1979 - September 30, 1980

Summary: This is a pre-arrest diversion program, the goal of which is to provide informal hearings for domestic or family conflicts for resolution via arbitration and appropriate social service referrals. The project was originally started under the auspices of the Fayette County Quarterly Court. The project has now become an adjunct of the Fayette District Court, under the administrative direction of the Pretrial Services Division of the Administrative Office of the Courts. The project personnel are composed of a Project Director, two Intake Officers, a full-time Hearing Officer and a part-time Hearing Officer. During the period of January 1, 1979 through December 31, 1979, the project screened 5,321 complaints, of which 1,674 were scheduled for hearings; 754 (45%) informal hearings were actually held. Fifty-five percent (55%) of the scheduled cases were dropped or withdrawn, or the parties failed to appear. Follow-up interviews were conducted for 61% of the cases heard to determine client reaction to the program. Seventy-five percent (75%) of the hearings were regarded as successful by the disputants.

Title: **Circuit Clerks' Accounting System**
Project Budget: $327,965
Grant Period: October 1, 1977 - March 31, 1979

Summary: This project provided each circuit clerk's office with the equipment and procedures necessary to maintain accountability for all the funds handled by those offices in an efficient and accurate manner. The grant included funds for the purchase of equipment for a one-write system of disbursement accounting and 47 electronic cash registers.

Title: **Clerks' Education - National Programs**
Project Budget: $16,968
Grant Period: January 1, 1978 - September 30, 1980

Summary: This project provided funds for selected Circuit Clerks to attend educational and training programs sponsored by recognized institutions that provide training in such areas as records management, jury management, accounting and personnel administration. A detailed breakdown of programs and participants is included in the "Division of Education" section of this report.

Title: **In-State Judicial Education**
Project Budget: $103,648
Grant Period: December 1, 1977 - September 30, 1980

Summary: This project provided funds for District Judge participation in a series of educational programs consisting of the Judicial Conference, Judicial College, and various special topic programs. Specific topical programs are described in the "Division of Education" section of this report.

Title: **Out-of-State Judicial Education**
Project Budget: $46,463
Grant Period: August 1, 1979 - July 31, 1980

Summary: This project provided for the attendance of circuit and district judges at out-of-state continuing judicial education programs sponsored by such nationally recognized organizations as the American Academy of Judicial Education and the National Judicial College. Kentucky judges' participation in out-of-state programs is detailed in the "Division of Education" section of this report.

Title: **Writing and Updating Handbooks and Manuals**
Project Budget: $13,590
Grant Period: October 1, 1977 - October 30, 1980

Summary: This project provided funds for the writing and updating of various judicial manuals and handbooks and for the production of public information and educational materials. Under the auspices of this grant, the Court of Justice received copies of the following:

a. Bail Bond Reform in Kentucky and Oregon.

b. Subscription to National Association of Judicial Conduct Organizations.

c. Copies of Constitutional Criminal Procedure.

d. Copies of Recent Decisions of the U.S. Supreme Court.

A Labor Law Manual and a Pretrial Services Manual were written, reproduced and distributed to judges and pretrial services officers. The grant further provided funds for the production of two orientation/information slide presentations for the Court of Justice and equipment necessary for presentation. A regular newsletter, Accent On Courts, has been produced under this grant.

Title: **In-State Clerk Education**
Project Budget: $66,120
Grant Period: January 1, 1978 - September 30, 1980

Summary: This project provided for the continuing education and training of circuit clerks and their deputies. An annual conference with a broad curriculum as well as specialized programs in such areas as accounting and records management are conducted. Reference is made to the "Division of Education" section for details.

Title: **Law Library Staff Attorney Project**
Project Budget: $33,333
Grant Period: October 1, 1979 - September 30, 1980

Summary: A staff attorney and a secretary were employed under this project to provide quality research to members of the judiciary as quickly as possible. Short telephone answers are provided on a daily basis when a judge needs immediate assistance followed by written memorandum as soon as possible. Extensive legal memoranda are usually provided within three or four weeks. The program was a success and is now an ongoing function of the State Law Library.

Title: **Misdemeanor Diversion and Mediation**
Project Budget: $343,108
Grant Period: May 1, 1979 - February 28, 1981

Summary: This project provides pretrial mediation services in Kenton, Campbell, Boone, and Jefferson Counties. Informal hearings for interpersonal disputes are conducted to seek resolution via mediation or appropriate social service referrals. Pretrial diversion of selected misdemeanor offenses is provided in Kenton, Campbell, and Boone Counties. Detailed project information is included in the Kentucky Pretrial Services Fourth Annual Report, published by the AOC, and in the section of this report, "Division of Pretrial Services."

Title: **Orientation and Specialized Training**
Project Budget: $32,583
Grant Period: November 15, 1978 - March 31, 1981

Summary: This project provides funding for the orientation of all new circuit and district judges and for the education and training of trial commissioners, court administrators, court reporters, and the staff of the Administrative Office of the Courts. Programs conducted under the auspices of this grant are described in the "Division of Education" section of this report.

Title: **Judicial Information Systems**
Project Budget: $231,210
Grant Period: April 1, 1980 - June 30, 1981

Summary: This project provides for the improvement of the Court of Justice information systems through the application of electronic data processing. See section entitled "Division of Regional Services" for detailed explanation of existing data processing systems.

Title: **Fayette County Traffic Court Automated Case Management System**
Project Budget: $154,029
Grant Period: November 26, 1979 - September 30, 1980

Summary: Funds are provided by the U.S. Department of Transportation through the Kentucky Office of Highway Safety Programs to automate the traffic court division of the Fayette County Circuit Clerk's office to facilitate a more efficient processing of the large volume of citations facing that office. See "Division of Regional Services" section of this report.

"The Chief Justice of the Commonwealth shall be the executive head of the Court of Justice and he shall appoint such administrative assistants as he deems necessary ...."

Constitution of Kentucky, Section 110 (5) (b)

THE ADMINISTRATIVE OFFICE OF THE COURTS

Charles D. Cole, Esquire
Director
Administrative Office of the Courts

Mr. Cole, a native of Alabama, was born in Monroeville in 1938. He received his B.S. from Auburn University in 1960, and graduated cum laude from the Cumberland School of Law of Samford University in 1966. He received his LL.M. from the New York University School of Law in 1971. Mr. Cole is a member of the American Bar Association, American Trial Lawyers Association, American Judicature Society and Alabama Bar Association. He has also been admitted to practice before the United States Supreme Court.

Immediately prior to accepting appointment as Director of the Administrative Office of the Courts in May 1979, Mr. Cole was Director of the Southern Regional Office of the National Center for State Courts for four years. He was a Professor at the Cumberland School of Law for nine years (1966-1975) during which time he held several appointive positions under the Chief Justice of Alabama in support of their successful efforts to reform their state's judicial system.

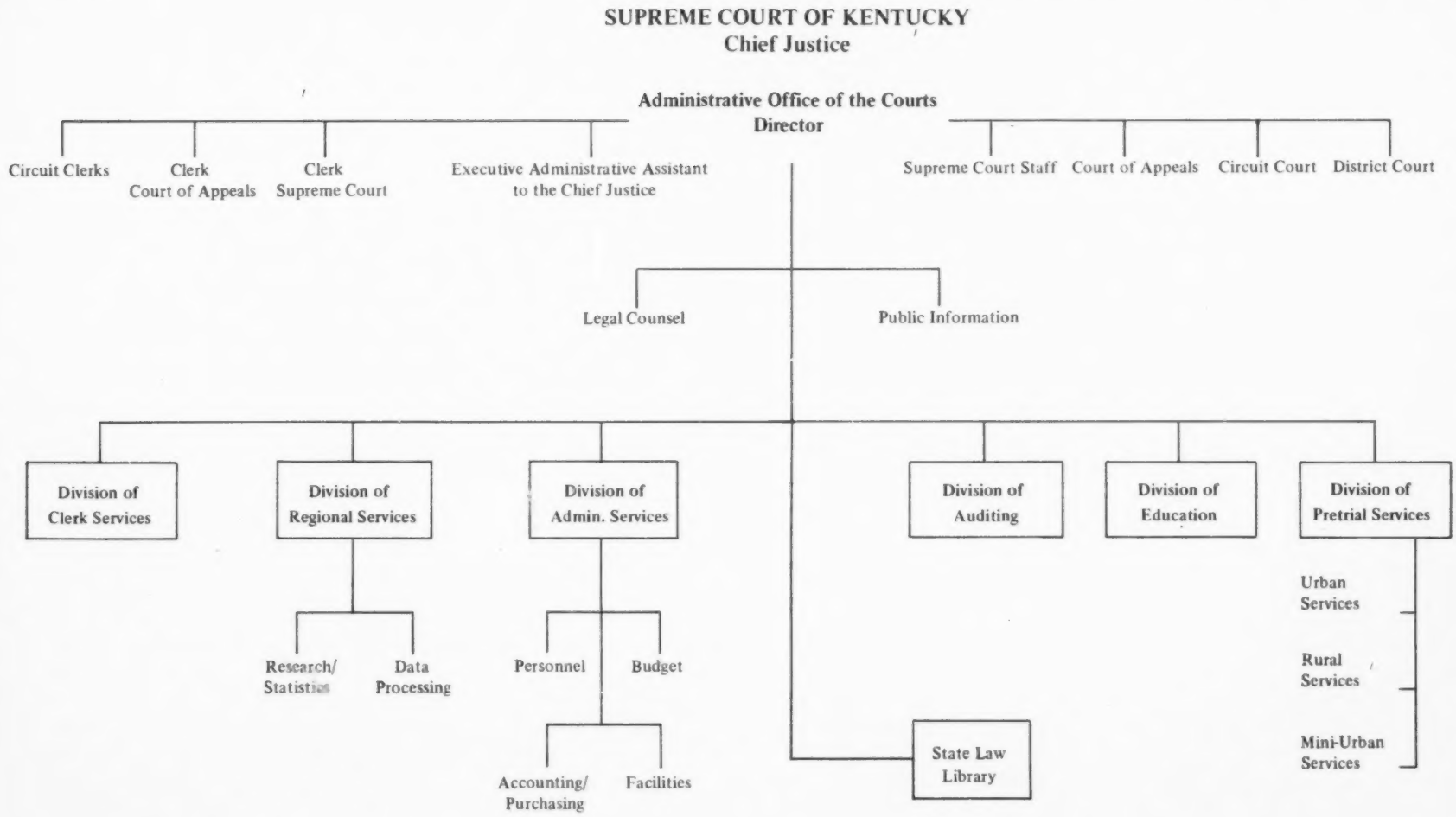
THE ADMINISTRATIVE OFFICE OF THE COURTS

The Administrative Office of the Courts (AOC) was created by statute (KRS 27A.020 - 27A.050) to serve as staff for the Chief Justice in executing the policies and programs of the Court of Justice, and became fully operative and effective on June 19, 1976.

During the first years of its existence, primary emphasis was placed upon the implementation of the judicial article, and planning for future programmatic development. Activities were at a crisis level for the first three years -- a pretrial release agency was established, the Court of Appeals was organized, new rules of court were promulgated, regular sessions of the General Assembly took place, as well as one special session called for the express purpose of implementing the judicial amendment, a second special session occurred and the district courts were organized.

Upon the completion of the preliminary activities described above, it became necessary to define the necessary functions of the office and provide the administrative structure to implement policy established by the Supreme Court. During 1980, the AOC underwent a complete reorganization which better represents the necessary framework to carry out the duties and responsibilities of the office.

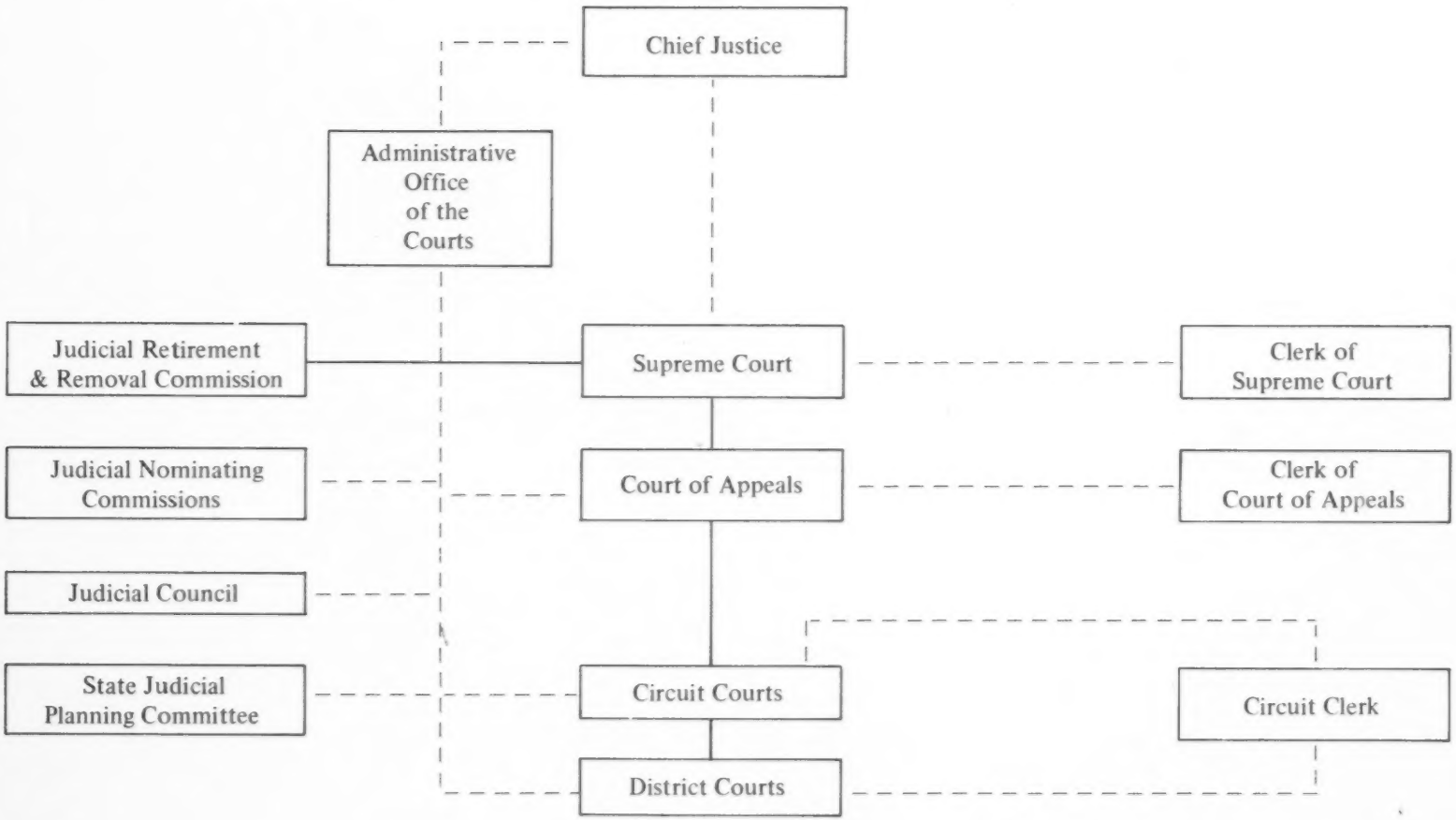
The AOC has been reorganized into seven divisions: The Division of Regional Services, the Division of Administrative Services, the Division of Clerk Services, the Division of Internal Audit, the Division of Education, the Division of Pretrial Services and the State Law Library. In addition, Legal Counsel and Public Information are attached to the Office of the Director. The two charts which follow this page represent the organizational posture of the AOC and its



ORGANIZATIONAL CHART
ADMINISTRATIVE OFFICE OF THE COURTS
July 1, 1980

JUDICIAL AND ADMINISTRATIVE ORGANIZATION

KENTUCKY COURT OF JUSTICE



relationship to the Court of Justice as a whole and the Supreme Court in particular. The Organizational Chart reflects the internal organization of the AOC, and the Judicial and Administrative Chart depicts the judicial route in relation to the administrative route of all components of the Kentucky Court of Justice. Each internal division of the AOC will be discussed and functional responsibilities described subsequent to the following enumeration of ancillary relationships and authorized committees.

A. Relationship with the General Assembly

One of the most important obligations of the Administrative Office of the Courts is the responsibility to assist the Chief Justice in preparation of the biennial budget for submission to the General Assembly. Further, although a detailed explanation of the budget process is found in the pages which follow, it should be noted that the relationship between the Court of Justice and the General Assembly goes far beyond the simple submission of a budget request or proposed legislation. The Director and members of his staff are in attendance at legislative committee meetings, both during those times when the General Assembly is in session and during the interim when committees are active in the study and preparation of measures which will be considered for enactment.

During the period covered by this report, January 1, 1979 through June 30, 1980, two sessions of the Kentucky General Assembly were convened.

1. 1979 Extraordinary Session of the General Assembly

In December 1978, in the absence of the Governor from the Commonwealth and in accordance with authority granted by the Constitution, the Lieutenant Governor called an Extraordinary Session of the General Assembly to be convened on December 11, 1978. The City of Frankfort was, subsequent to the call, inundated by flood waters and the special session was delayed until January 8, 1979. Major issues included in the call were those of tax reduction and the lowering of traffic fines.

Legislation enacted at the 1978 regular session provided that traffic fines would be increased by $15 for the purpose of funding police pay incentives. With the implementation of the District Courts in January 1978, and the resulting consistency in the imposition of penalties for the commission of traffic offenses, there was a statewide public outcry concerning the fines imposed. In their determination to assuage the public's dissatisfaction with traffic fines, the General Assembly, during its special session, amended the statutes to reduce traffic fines by $5, eliminated a $7 fee from the court costs, and allowed many offenses to be classified as prepayables. The court costs for the prepayable offenses acted upon were lowered by an additional $5.

Other legislation of interest to the Court of Justice which was enacted by the 1979 Extraordinary Session of the Kentucky General Assembly is summarized in Appendix G.

2. 1980 Regular Session of the Kentucky General Assembly

In his State of the Judiciary Address to the General Assembly on January 24, 1980, Chief Justice John S. Palmore stressed the success of the unified Court of Justice and called for legislative proposals which would further enhance the quality of the judicial branch of government: first, he requested the legislature to increase the salaries of all justices and judges in the Court of Justice to a level that would be commensurate with the present cost of living; second, he requested and certified the necessity for four additional circuit judgeships and twenty-two additional district judgeships; and third, he asked the General Assembly to consider legislation to more equitably reimburse units of local government for the use of court facilities. The full text of the State of the Judiciary Address appears in Appendix F.

A bill to raise judicial salaries was introduced early in the session, based upon inflation related cost-of-living increases which had occurred since the judges of the judicial branch of government had last received an increase in compensation. The premise upon which the bill was drafted was that inflation had taken its toll on the salary set by the legislature in 1976, and that the consumer

price index should be applied for each year since that date to produce an acceptable salary for judges.

After much discussion by the Judiciary Committees, the bill was amended to provide for a straight salary increase, and a one-year cost-of-living allowance of 6%. The final version of the measure, which was the last piece of legislation to pass the General Assembly session, increased salaries as follows:

	1976 Salary	1980 Salary
Supreme Court		
Chief Justice	$ 39,500	$ 50,000
Associate Justices	39,000	49,000
Court of Appeals		
Chief Judge	37,500	47,500
Associate Judges	37,000	47,000
Circuit Judges	35,000	45,000
District Judges	27,500	38,500

During the course of their deliberations on the judicial salary legislation, the General Assembly reduced judicial retirement benefits for new judges coming into the system. Those judges participating in the existing retirement system were not affected.

Based on growing caseloads and in accordance with constitutional provisions, the Supreme Court issued certifications of necessity for four additional circuit and twenty-two district judgeships. The General Assembly enacted legislation granting the four circuit judgeships, and approved nine additional district judgeships. In anticipation of further certifications of necessity to future legislatures, the General Assembly requested the Administrative Office of the Courts to conduct a recircuiting and redistricting study which will more clearly define the actual judicial personnel needs of the Court of Justice.

One other major legislative proposal relating to the Court of Justice concerned reimbursements for court facilities. The bill would have allowed local units of government to recover cost of interest on capital construction projects.

Although the measure passed the House of Representatives handily, it failed to receive a favorable report from the Senate Judiciary Committee. Because of the failing economy, and therefore, perceived future revenue shortfalls, the committee questioned recurring costs which were considered to be inherent in the bill.

A summary of legislation enacted by the 1980 Regular Session of the Kentucky General Assembly which directly or indirectly affects the Court of Justice is included in the Appendix G.

B. Authorized Committees

In addition to the ongoing duties of legal counsel and other personnel attached to the Office of the Director, staff support was provided to three major committees authorized by Supreme Court Rule or by the Judicial Council.

1. Criminal Rules Revision Committee

After approximately two years of study and discussion, the Criminal Rules Revision Committee, appointed by the Chief Justice at the request of the Kentucky Judicial Council, concluded its work on February 29, 1980, and subsequently prepared a final report for submission to the Judicial Council.

The members of the committee and their positions were as follows:

Judge Thomas B. Spain, Chairman
Circuit Court, Madisonville

Judge J. B. Johnson
Circuit Court, Williamsburg

Judge John K. Carter
District Court, Louisville

Judge Leonard L. Kopowski
District Court, Newport

Representative Charles R. Holbrook, III
Practicing Attorney and Legislator, Ashland

Professor Robert G. Lawson
University of Kentucky College of Law, Lexington

Terence Fitzgerald, Esquire
Office of Public Advocacy, Louisville

James E. McDaniel, Esquire
Commonwealth's Attorney, Owensboro

David E. Murrell, Esquire
Office of Public Advocacy, Frankfort

James M. Ringo, Esquire
Assistant Attorney General, Frankfort

Larry S. Roberts, Esquire
Commonwealth's Attorney, Lexington

J. Thomas Soyars, Esquire
County Attorney, Hopkinsville.

Prior to convening the first meeting on July 7, 1978, the committee solicited suggestions from the bench and bar by means of the Kentucky Bar Association Newsletter. The response was excellent and the committee gave serious consideration to every suggestion and proposed change received. Upon considering the scope of the suggestions, the committee realized immediately that a thorough review of the whole body of the criminal rules was necessary. Thus, the group met on 16 different occasions before completing their work in February 1980.

Many of the changes recommended were minor or ministerial, but required to conform the rules with the present organization of the Court of Justice. For example, throughout the proposed rules, the word "magistrate" is amended to "judge." The committee also felt that wherever possible the criminal rules should be self-contained, and accordingly, where a simple reference to a civil rule was found, it recommended setting out the language in full. The major recommendations of the committee are in the areas of (a) the establishment of a document called a "post-arrest complaint"; (b) the use of complaints in uniform citations as prosecuting documents; (c) creation of a provision permitting waiver of indictments; (d) reciprocal discovery; (e) adding a plea of nolo contendere and providing a procedure for plea bargaining; and (f) judge sentencing.

Following the submission of the report to the Judicial Council, that body will decide what recommendation it wishes to make to the Kentucky Supreme Court, whose duty it is under the Kentucky Constitution (Sec. 116) to promulgate rules of procedure for the Court of Justice.

2. Mental Health Advisory Study Committee

An 18 member Mental Health Advisory Study Committee authorized by the Judicial Council completed a year-long review of Kentucky's mental health statutes in September 1979.

As a result of that study, the committee proposed that existing Kentucky mental commitment statutes (KRS Chapter 202A) be repealed and a new statute drafted by the committee be adopted in its entirety. The proposed legislation included nine major statutory changes providing that: (1) all mental health proceedings should be handled in district court; (2) initial examinations for possible commitment to a state hospital should be done by "two qualified mental health professionals, at least one of whom is a physician"; (3) mental health proceedings and records should be confidential; (4) the seven-day commitment process should be eliminated; (5) a probable cause hearing (or preliminary hearing) should be conducted before the final hearing on commitment with a right to a jury trial at the final hearing; (6) juveniles under age 18 may be involuntarily committed to a hospital by a parent or guardian for up to 60 days only, unless further detained under the involuntary hospitalization provisions of KRS 202A; (7) qualified mental health professionals should receive a fee for their examinations and such should be reimbursed by the Kentucky Department for Human Resources; (8) provision should be made for the hospital to petition the court for a determination of the appropriateness of the proposed treatment when a patient refuses all treatment; and (9) the burden of proof for commitment should be established at "beyond a reasonable doubt."

After a review of the proposed mental health legislation the Judicial Council approved and recommended the legislative draft for passage by the Kentucky General Assembly. The bill was introduced during the final weeks of the legislative session, but failed to be reported from committee.

3. Ethics Committee of the Kentucky Judiciary

The Ethics Committee of the Kentucky Judiciary was created in 1979 by Supreme Court Rule (SCR 4.310). By the terms of that rule, the Committee

consists of one judge from each level of the Court of Justice except the Supreme Court, to be chosen by the members of their courts, and two members of the Kentucky Bar Association to be appointed by its Board of Governors.

Members of the Committee are:

Judge John P. Hayes, Court of Appeals
Judge Joseph H. Eckert, Circuit Court
Judge Thomas J. Knopf, District Court
B. M. Westberry, Esquire
Uhel O. Barrickman, Esquire

The Committee renders advisory opinions to judges and trial commissioners concerning the propriety of any act or conduct and the construction or application of any canon of the Code of Judicial Conduct (SCR 4.300).

The Committee met for an organizational meeting in September 1979 and elected Mr. Westberry as chairman. Since that time the Committee has conducted its business by means of telephone conference.

The Committee has given opinions to 12 judges on questions covering a wide range of topics. Three opinions involved the necessity of disqualifying because of familial relationship or financial interest; two involved election practices, two involved membership in civil or charitable organizations, and two involved conduct which might be regarded as practicing law. One question involved the propriety of renting office space to lawyers, one concerned the sale of the judge's practice upon assuming the bench, and one involved membership in a "wet" country club in a dry county.

Opinions may be formal or informal, depending on the decision of the Committee. Matters of general interest have been denominated formal, and others are informal. Formal opinions are published in the Bench and Bar, the official publication of the Kentucky Bar Association and Accent on Courts, the newsletter produced by the AOC.

C. Legal Counsel

In addition to serving as staff support for the various commissions and committees outlined elsewhere in this report, the two staff members designated as Legal Counsel have provided continuing legal assistance to the Director and each of the divisions of the AOC, and have furnished legal research to judges, clerks and other court support personnel. Other responsibilities include arranging for coverage of circuit and district courts when a vacancy, illness, vacation, backlog of cases, or other circumstance occurs necessitating an assignment of a special judge.

During the period covered by this report, legal counsel has also supervised the development, reproduction and distribution of updates to the Rules of Court, Circuit Judges' Benchbook, and District Judges' Benchbook.

Legal Counsel also drafts rules and miscellaneous orders for the Supreme Court to consider in regards to its administrative responsibilities for the Court of Justice, and compiles legislation for consideration by the Kentucky General Assembly.

D. Public Information

Recognizing the need to improve public understanding of the administration of justice in Kentucky by disseminating information about the activities of the Court of Justice, two Public Information Officers work together to keep the public informed and assist the judicial and non-judicial personnel of the Court of Justice in their efforts to communicate among themselves.

It is also the responsibility of the Public Information staff to publish and distribute the Annual Report and a regular newsletter, Accent on Courts. A slide presentation on the Court of Justice was developed for use by judges, clerks, teachers, and civic organizations, as well as a brochure on the court system, "Your Key to the Kentucky Courts."

Public Information staff serve as liaison with the General Assembly, the Kentucky Bar Association, and the news media. Continuing duties include attendance at judicial education programs, preparation and dissemination of news releases, and editorial assistance in the production of speeches or articles for publication.

DIVISION OF ADMINISTRATIVE SERVICES

The Division of Administrative Services is the fiscal arm of the Administrative Office of the Courts working with the Director in the preparation of the budget. The Division is also responsible for preparation of the payroll for judicial and non-judicial personnel, federal grants management, purchasing, accounting, court facilities management and logistical support in the areas of furniture, equipment, forms and supplies for the Court of Justice.

A. Accounting/Purchasing

The Accounting/Purchasing Section of Administrative Services reviews and approves all expenditures for the Court of Justice, reconciles on a monthly basis all accounts with the Department of Finance, and provides a unified purchasing system to secure goods and services for the Court of Justice. A sub-accounting system is maintained to reflect the expenditures incurred by each circuit court clerk's office, who receive semi-monthly statements throughout the year. Each clerk is, therefore, provided with the necessary information to properly control expenditures and plan for future needs.

The travel reimbursement method for Court of Justice employees was changed from a per diem allowance method to an actual expense reimbursement method during the current reporting period. The change was necessary to equitably reimburse Court of Justice employees for travel expenses since the per diem allowance method previously used did not provide sufficient reimbursement increases in the cost of rooms and meals. It should be recognized, however, that maximum allowable amounts for each meal, reimbursed by receipt, are placed upon the per diem by Supreme Court rule.

Extreme delays in the delivery of Court of Justice forms, envelopes and stationery were caused by Department of Finance regular bidding procedures and backlogs in the state printing and duplicating facility. In order to expedite the court's printing requirements on a timely basis, a quick copy center for the AOC was established. Since July 1, 1979 most of the printing, as well as certain forms used in the circuit clerks' offices have been produced by the AOC. The printing capabilities will be expanded further during 1980-81 to adequately meet the needs of the Court of Justice.

B. Personnel

Rules governing personnel policies of non-judicial employees of the Court of Justice were promulgated in 1978, and are contained in Administrative Procedures of the Court of Justice, Part III.

The Personnel Section staff of eight persons provided the administrative, accounting and clerical services necessary for the maintenance of a work force of approximately 2,100 judicial and non-judicial personnel in 120 counties. Included in the system are justices and judges, trial commissioners, circuit clerks, deputy clerks, pretrial release staff members, judges' secretaries, official court reporters, trial court administrators, law clerks, and the central staff of the Administrative Office of the Courts. A semi-monthly paycheck reached every employee on or before the 13th and 28th day of each month as a result of converting from a monthly payroll system in July 1979.

Although many of the payroll and clerical functions are automated, every personnel transaction, from job establishments and recruitment through termination and death, must be initiated and processed by the personnel staff. Some transactions require less than five minutes, while others require several hours. There were approximately 10,000 non-routine, and therefore non-automated, personnel transactions in 1979.

The deputy circuit clerks' work force required most of the time and attention of the personnel staff. The number of full-time equivalent positions has been stabilized at approximately 1,065. Of that number, it is significant to note that 850 of the original work force of 950 were still employed by the Court of Justice at the end of 1979.

A personnel transaction history and reporting system has been refined to provide instant data for management planning and decision making. Reports are compiled monthly, but the information is updated daily as transactions occur. The system indicates the number and type of filled and vacant positions, as well as positions filled by persons on sick leave without pay. The system provides current information by organizational unit and geographic location of positions, and from the available records it can be determined how many positions require funding on any given day.

Several reports prepared by the personnel staff have been widely distributed and used by the legislative and executive branches of state government. One report, "Employment of Deputy Clerks in the Offices of Circuit Court Clerks," was used extensively by the General Assembly because it contains an eleven-factor system for determining the personnel needs in circuit clerks' offices.

Another report, "Functions of Departmental Personnel Offices in Kentucky State Government," was prepared in response to questions from legislators and executive branch budget officials who questioned why all personnel functions could not be administered by the central Personnel Department in the executive branch. That report describes in a concise manner, the constitutional, statutory, and practical administrative reasons for the necessity of personnel offices and divisions throughout all departments and branches of state government. The Governor's Executive Management Commission, established early in 1980, indicated that the report has been useful and asked permission to include portions of it in the final report of that task force.

By order entered August 1, 1979 and pursuant to the Administrative Procedures of the Court of Justice, Part III, Personnel Policies and Procedures,

Section 5.07, Chief Justice John S. Palmore appointed a Court of Justice Employee Grievance and Appeals Committee.

Members of the Committee are:

Mrs. Barbara Graves, Lexington
Dr. Gus T. Ridgel, Frankfort
Ms. Debra Smith, Mt. Sterling
Ralph Kessinger, Esquire, Lexington
Mr. Joseph Toy, Lexington

The Committee has held several meetings and conducted one formal grievance hearing which resulted in a compromise settlement before the hearing was completed.

C. Facilities Management

After slightly more than two years of operation, the Court of Justice is still experiencing some problems relating to facilities which are used by the court at the trial court level. One of the most prevalent problems is the lack of sufficient space in the courthouses to satisfy the needs of both the Court of Justice and the offices of local government. There is, however, one basic difference today from previous years; a spirit of cooperation in sharing limited facilities between Court of Justice personnel and county officials currently exists. This past year can be described as a year of adjustment with an intent to achieve more effective use of existing space. State and county officials recognize that most of the courthouses are inefficient in design, with much wasted space which is difficult to utilize efficiently. Although the design of government or justice centers should be geared for today's needs, the high cost of construction, coupled with the limited payment received by the counties for the use of the facilities by the Court of Justice, makes it impractical to consider new courthouse construction.

The 1978 Kentucky General Assembly enacted the present law for providing reimbursement to units of local government for the use of facilities by the Court of Justice. The passage of this legislation was a constructive step to encourage counties and cities to provide adequate facilities, but it fell short of making the court system a full paying partner in sharing capital costs of the

facilities. The statutes (KRS 26A.100-26A.120) provide for the sharing of operational expenses based on the percentage of occupancy in the facility and for an annual use allowance payment of four percent (4%) of the pro rata occupancy share of the total capital invested. Simply stated, this means that the annual use allowance payment received by the county as reimbursement for capital invested is only four percent (4%) of the cost of the space which the court system occupies, and will reimburse the county in 25 years for the actual capital invested; however, the law does not take into consideration the cost of financing. The annual use allowance payment of four percent (4%) is not unreasonable for those counties having little or no bonded indebtness, but is insufficient for funding new courthouse construction loans. The expected rate of interest on any bonds issued for new construction today would probably exceed 7%; therefore, the counties' reluctance to construct new courthouse facilities at this time is understandable.

Despite the financing handicaps, several counties have completed new courthouse additions or facilities during the reporting period. Monroe County used accumulated revenue sharing funds for the bulk of its courthouse construction costs. Bath and Ohio Counties obtained five percent (5%) Farmers Home Administration loans to finance new courthouse construction. Direct federal grants were obtained as major assistance in financing courthouse construction or improvements in Morgan, Carter, Powell, and Knott Counties.

Among the counties experiencing the most critical facility problems are those which contain cities of the second class (Warren, Daviess, Boyd, and Campbell Counties). Pike County also has a serious space problem. A recent statewide review of space requirements indicated that a critical shortage of space for the Court of Justice existed in 17 counties. The court system is located entirely in private sector leases in Rowan and Oldham Counties. Rowan County has recently taken bids on construction for new facilities for the court system. Most of the remaining county courthouses are adequate for present day needs but few have room for future expansion.

KRS 26A.100 provides that quarterly payments are to be made to units of local government for facilities provided for use by the Court of Justice. These

quarterly payments include both a "use allowance" and "operational expense allowance."

The amount of money returned to a local unit of government for use allowance is determined by computing the sum of all the capital costs incurred in the construction and renovation of any facility used in part by the Court of Justice. Excluded from the capital cost figure is any dedicated funding the governmental unit received under a specific grant for a building project, but does include general grants, such as revenue sharing funds, which are a part of the county or city budget.

The proportionate share of the facility that is utilized by the Court of Justice is determined by comparing the net useable square footage occupied by the Court of Justice to the net useable square footage used for other governmental functions.

During the period January 1, 1979 through June 30, 1980 payments totaling $7,196,850 were reimbursed to the counties and cities for 970,588 square feet of net useable space in public-owned facilities. The Court of Justice occupied 46% of the total net useable space in buildings used jointly by the court system and the unit of local government. County courthouses were the primary source of space provided to the Court of Justice, with only five cities providing facilities.

The $7,196,850 payment to counties and cities represented $2,313,520 as use allowance payment and $4,883,330 as operational expense allowance reimbursement. The average annual use allowance payment for net useable space was $1.59 per square foot, and the average operational expense reimbursement was $3.35 per square foot of net useable space occupied. The total average payment to the counties and cities was $4.94 per square foot.

Public space was not available in some areas for occupancy by the court system and it was necessary to lease private property for court use. A total of 57 leases was negotiated to provide an additional 88,100 square feet of court space. A total of $897,320 was paid for private sector leases, with the average payment amounting to $6.10 per square foot.

An attempt was made during the 1980 General Assembly to obtain facility legislation which would increase the use allowance payments to a level sufficient to amortize the court's proportionate share of the capital cost of a new facility. There were several counties which expressed an interest in constructing a new facility but most postponed any construction plans when the bill failed to pass.

Recognizing that the need for adequate court facilities is only one component of an efficiently administered court system, steps were taken to provide improved services and equipment for individual court functions. Prior to 1979, shipping and receiving of equipment and supplies was accomplished at three warehouse locations. The consolidation of these functions into a central operations center enables better service at less expense, resulting in more efficient use of available manpower and reduced transportation expense.

Personnel attached to the operations center: (1) receive and process requests for supplies and forms for approximately 460 court offices in 120 counties; (2) receive and warehouse for redistribution items of equipment necessary for the court system's operation; (3) deliver by state-owned truck, large shipments of supplies and equipment from the central warehouse; (4) provide, service, and maintain all mechanical and electronic equipment required for the operation of the court system; and (5) operate a printing program to supply forms, stationery and envelopes necessary for the courthouse.

D. Budget

The Budget Section, working directly with the AOC Director, prepared the Court of Justice 1980-82 biennial budget request for submission to both the executive and legislative branches of government. The budget process began in April 1979 with the development of a program memorandum, which served as a planning guide for legislative and budgetary issues relating to the judiciary during the succeeding biennium. The program memorandum was submitted to the executive and legislative branches in July 1979, six months prior to the convening of the Regular Session of the General Assembly in January 1980.

In order to obtain input from the local court units in the budget process, the budget staff, with the assistance of other members of AOC staff, visited each of the 56 judicial circuits. These meetings were attended by the circuit and district judges, and circuit clerks in the judicial circuit. Information obtained from the local court units was utilized in the formulation and justification of the judiciary's biennial budget request.

Preparation of detailed estimates for the operations of the court system during the 1980-82 biennium, including both the cost of continued existing services and new or expanded programs, began in July. Upon review and approval by the Supreme Court, the information was transferred into the budget format of the executive branch. The budget request for the 1980-82 biennium was submitted by the Chief Justice to the Governor and the General Assembly in November.

During the 1980 Regular Session of the General Assembly, the Budget Section provided staff assistance to the Director of AOC for legislative budget hearings and reviewed bills for fiscal impact on the judiciary.

The annual budget for the Court of Justice is a program budget for each level of court and function, including the estimated cost of personnel, operating expenses and capital outlay for each of the budget units. Once the General Assembly appropriated funds for the Court of Justice 1980-82 biennial budget, the budget staff prepared the annual operating budget for FY 1980-81 for each program.

Concurrent with the preparation and review of the Court of Justice budget request, the budget staff had the continuing responsibility of fiscal analysis of the program budgets during the fiscal year.

In addition, the budget staff was involved in a continuing procedural analysis of the administrative system, seeking to simplify and expedite the administration of justice and to identify means of reducing costs for essential services. Major projects included: (1) procedural studies of paper flow through the AOC; (2) an analysis of current photocopy requirements to provide the most effective services possible at the least cost; (3) a review of the diverse telephone

requirements to devise means to provide essential service for court use, to limit misuse for personal use, and to reduce unnecessary lines and services; and (4) providing administrative staff assistance to implement a comprehensive management study of the courts in Jefferson County.

FINANCING THE COURTS

Since January 1978, the financing of the unified Court of Justice has been the responsibility of the state with all of the revenues collected by the court deposited into the State Treasury. Pursuant to the Constitution of Kentucky, the Supreme Court, through the Administrative Office of the Courts, prepares annual budget estimates of state appropriations necessary for the operation of the Court of Justice. The 1980 General Assembly appropriated $101.7 million in general fund support for the court system during the 1980-82 biennium. The general fund support of the courts represents 2.3% of the total general funds appropriated in the 1980-82 biennium ($1.8 billion), and represents a 26% increase ($21 million) over the general fund support of the courts during the 1978-80 biennium.

An overview of the appropriations for FY 1979-80, the expenditures for FY 79-80, the state support of the courts for FY 1980-81, and the actual revenues collected by the courts for FY 1979-80 are reported in the material which follows.

A. State Support of the Court of Justice

1. Appropriations and Expenditures - Fiscal Year 1979-80

The expenditures for the operation of the courts in FY 1979-80 ending June 30, 1980, were $38.5 million and an additional $2.4 million for the Judicial Retirement System. The expenditures for FY 1979-80 are presented by court budget unit in Chart A on the page immediately following.

CHART A

3. Court of Justice Expenditures - Fiscal Year 1979-80

	General Fund	Federal Funds	Total Funds
Court Operations & Administrations:			
Supreme Court & Clerk	$ 1,071,155		$ 1,071,155
Court of Appeals	1,675,388		1,675,388
Circuit Court	5,834,963		5,834,963
District Court	4,450,845		4,450,845
Circuit Clerks	15,763,207		15,763,207
AOC	1,994,896		1,994,896
Pretrial Services	2,097,108		2,097,108
Law Library	334,648		334,648
Federally Funded Projects	100,000	560,392	660,392
Judicial Boards & Commissions	35,695		35,695
TOTALS	$33,357,905	$560,392	$33,918,297
Local Facilities Fund	5,194,344		5,194,344
TOTALS	$38,552,249	$560,392	$39,112,641

2. Appropriation for Fiscal Year 1980-81

The 1980 General Assembly appropriated $46.1 million to support the Court of Justice for the 1980-81 fiscal year. This amount includes $5.5 million for the local facilities fund. There was an additional appropriation of $2.8 million for the Judicial Retirement System. The general fund support of the courts represents 2.4% of the total state general fund appropriation for FY 1980-81. The FY 1980-81 appropriation represents a 19.2% increase over the $41.0 million for FY 1979-80. The appropriation provides for the continuation of the existing level of activities of the court system, including the annual 5% salary increment for non-judicial personnel and a 5% increase in operating expenses to offset the impact of inflation. Funds are included for a salary improvement fund for non-elected personnel. In the circuit clerks' budget, funds are provided for a deputy pool to provide temporary help due to vacations and illness, and for a limited number of additional deputy positions to accommodate staff needs during the fiscal year.

In addition, funds are provided for increases in judicial and clerk salaries, as well as for a cost-of-living adjustment, to a maximum of 6%, for the judges and circuit clerks effective July 1, 1981. This is the first salary adjustment for the judges since 1976. Funding is included as well for an additional four circuit and nine district judgeships established by the 1980 General Assembly.

The distribution of the appropriation for FY 1979-80 and the appropriation for FY 1980-81 is presented in Charts B and C on the pages immediately following.

3. Comparison of fiscal year 1979-80 and 1980-81 Appropriations

Distribution of the Court of Justice appropriations among budget units is illustrated in Figure 1 by displaying a comparison of FY 1979-80 and FY 1980-81 appropriations.

The impact of the FY 1980-81 increase in judicial salaries and the increase in the number of judgeships by 13 is evident. The circuit court's portion of the budget increased from 15.3% to 16.6%, and the district court allocation rose

CHART B

2. Court of Justice Budget - Fiscal Year 1979-80

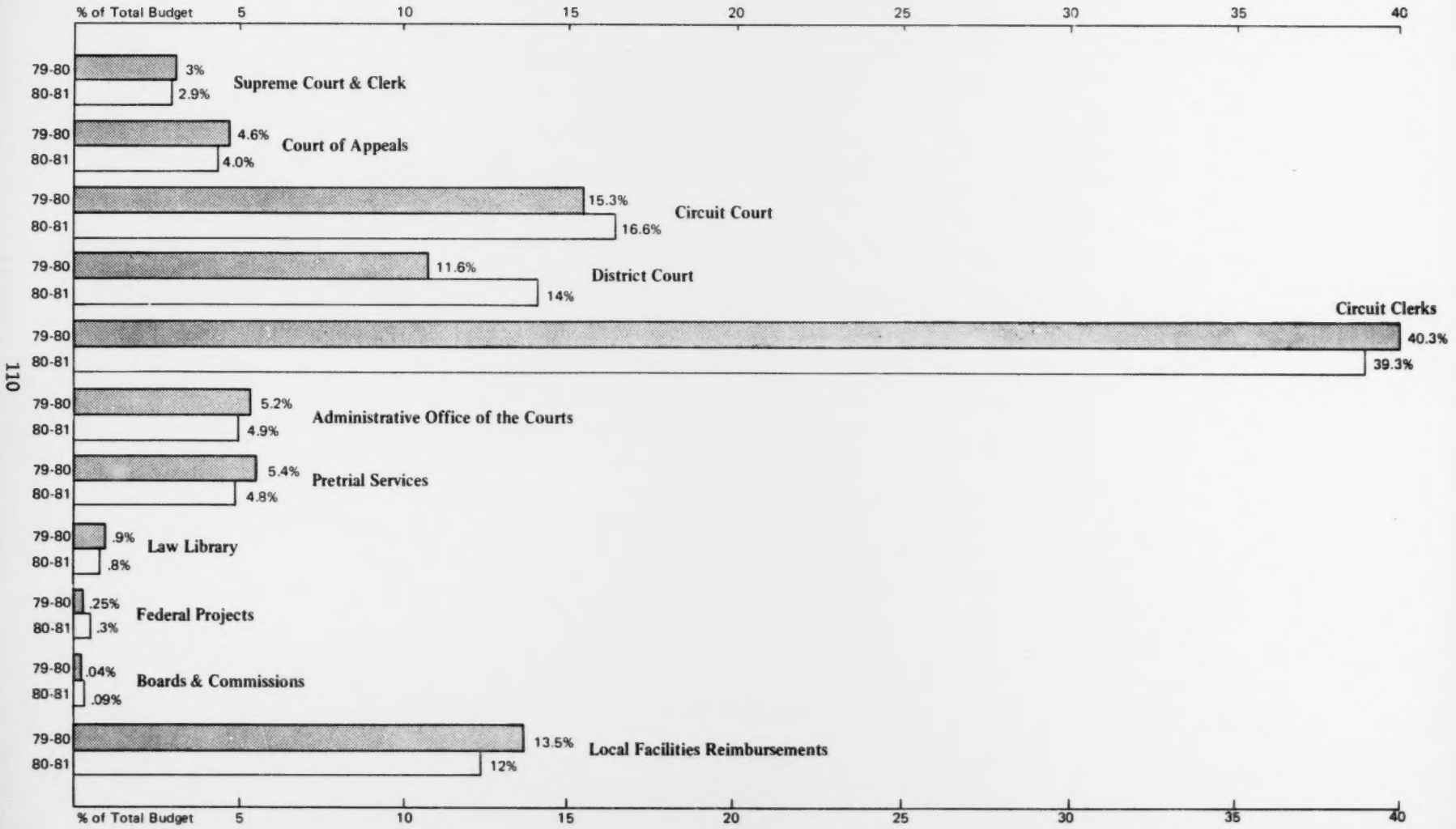
	General Fund	Federal Funds	Total Funds
Court Operation & Administration:			
Supreme Court & Clerk	$ 1,160,685		$ 1,160,685
Court of Appeals & Clerk	1,773,455		1,773,455
Circuit Court	5,910,925		5,910,925
District Court	4,477,487		4,477,487
Circuit Clerks	15,572,918		15,572,918
AOC	2,028,690		2,028,690
Pretrial Services	2,072,611		2,072,611
Law Library	341,923		341,923
Federally Funded Projects	100,000	$1,194,766	1,294,766
Boards & Commissions	18,000		18,000
TOTALS	$33,456,694	$1,194,766	$34,651,460
Local Facilities Fund	5,202,200		$ 5,202,200
TOTALS	$38,658,894	$1,194,766	$39,853,660

CHART C

2. Court of Justice Budget - Fiscal Year 1980-81

	General Fund	Federal Funds	Total Funds
Court Operation & Administration:			
Supreme Court & Clerk	$ 1,337,575		1,337,575
Court of Appeals & Clerks	1,876,296		1,876,296
Circuit Court	7,639,899		7,639,899
District Court	6,502,403		6,502,403
Circuit Clerks	18,166,090		18,166,090
AOC	2,261,276		2,261,276
Pretrial Services	2,198,617		2,198,617
Law Library	390,343		390,343
Federally Funded Projects	136,903	901,500	1,038,403
Boards & Commissions	42,098		42,098
TOTALS	$40,551,500	$901,500	$41,453,000
Local Facilities Fund	5,566,400		5,566,400
TOTALS	$46,117,900	$901,500	$47,019,400

FIGURE I.
Distribution of Court of Justice Appropriation Between Budget Units Fiscal Years 1979-80 and 1980-81



from 11.6% of the total budget to 14%. The impact of the judicial salary increment in the appellate courts is not so obvious because there are only 21 judges in the Supreme Court (7) and Court of Appeals (14).

Funding for the circuit clerks comprises the major portion of the Court of Justice budget (FY 1979-80 - 40.3%, FY 1980-81 - 39.3%). It should also be noted that a significant portion of the Court of Justice appropriations each year is included in the Local Facilities Fund which is used to reimburse local units of government for court facilities.

The reduction in the percentage of the total budget presented for the circuit clerks and similar reductions between the two fiscal years for other budget units does not mean a reduction in appropriations for those units (see Charts B and C). Larger allocations to the circuit and district courts caused the percentage of total funding for the circuit clerks to be reduced, although the dollar appropriation for FY 1980-81 was greater than in FY 1979-80.

COURT GENERATED REVENUES

The 1976 General Assembly adopted a uniform filing fee, fine and court costs structure for the court system beginning in January 1978. All of the funds collected by the courts are deposited into the State Treasury. During FY 1979-80, the courts collected and remitted a total of $38,052,072, of which $180,100 represents filing and miscellaneous fees collected by the Clerk of the Supreme Court and the Court of Appeals. A total of $37,871,972 was collected during fiscal 1979-80 in the circuit clerks' offices, a breakdown of which is presented in Chart D.

CHART D

COLLECTIONS OF STATE REVENUES
CIRCUIT CLERK'S OFFICES
FISCAL 1979-80

	General Fund	Other Agencies	Total	% of Total
Criminal/Traffic Fines & Costs	$24,795,151	$	$24,795.151	65.40
Civil Filing Fees	5,045,215		5,045,215	13.45
Drivers License	2,259,772	2,672,405	4,932,177	13.14
Boat Registration	756,780		756,780	1.90
Charges for Svc.	597,458		597,458	1.60
Forfeitures	560,472		560,472	1.50
Interest Income	500,619		500,619	1.30
10% Bond; 10% Fee	325,424		325,424	.80
Bond Filing Fees	206,709		206,709	.50
Fish & Game Violations	50,100	75,150	125,250	.30
Public Defender		32,555	32,555	.10
Over (Short)	(5,842)		(5,842)	.01
TOTALS	$35,091,862	$2,780,110	$37,871,972	100.00%

THE DIVISION OF PRETRIAL SERVICES

As a direct result of the passage of a comprehensive bail reform act by the Kentucky General Assembly, the Pretrial Services Agency was established in June 1976 to assist the Commonwealth's trial courts in reaching knowledgeable decisions relating to the release from custody of persons awaiting trial. Kentucky is the only state which has abolished by statute commercial bailbonding practices. During 1980 the Agency was established as a Division of the Administrative Office of the Courts.

The primary mission of the Division was clearly expressed by the members of the Kentucky General Assembly in the preamble to the 1976 Bail Reform Act:

> ... it is the intent of the General Assembly of the Commonwealth of Kentucky to provide for a uniform workable system for affording persons charged with bailable offenses their constitutional rights to pretrial release that will insure appearances as ordered by the courts without imposing undue hardships upon those persons.

Additional duties have been assigned by statute and court rule. For example, KRS 431.515 requires pretrial officers to routinely collect information to assist the court in determining a defendant's indigency status. The Division has also expanded to include projects in the fields of pretrial diversion and citizen's dispute mediation in the state's three major metropolitan areas.

These additional duties have transformed the Division into a comprehensive services unit covering the entire pretrial period. Services are offered to resolve disputes prior to the need for court action, to divert individuals from the criminal justice system when prosecution would serve no purpose, and to provide objective information to assist the trial court in reaching informed

decisions regarding a defendant's release from custody and appointment of public counsel. Pretrial services officers constitute the professional staff available to the trial court in most areas of the Commonwealth, therefore, additional duties have been assigned which vary among the different jurisdictions.

The pretrial release component conducts its business in the county jails of Kentucky. Pretrial officers collect standardized information for bail setting purposes in each of the Commonwealth's 120 counties.

Since its inception, the division has published an annual fiscal year report of its operations. For full details of the structure, operating procedures and statistical information pertaining to continuation activities of the division, reference is made to the Kentucky Pretrial Services Fourth Annual Report, July 1, 1979 - June 30, 1980, and to the Annual Report of the Administrative Office of the Courts for the years 1976, 1977, and 1978, published by the AOC.

Two new projects were established within the division during the period of this report which merit the inclusion in this document of detailed description and statistical information.

1. Pretrial Diversion

The diversion program is designed to deal exclusively with misdemeanants, and diversion officers initially identify prospective clients from pretrial release interviews conducted in the county jails. The diversion component utilizes the community resource brokerage concept exclusively; in-house counseling is not offered.

The pretrial diversion program operates in each of the three Northern Kentucky metropolitan counties (Boone, Campbell and Kenton). In each case, the programs operate closely with the trial judges, prosecutors and members of the defense bar.

Shortly after arrest, each defendant is interviewed by a pretrial officer. The interview information is used by the trial judge to decide pretrial release and

indigency status. It is also used by the diversion officer to ascertain whether the arrestee meets the court's criteria for misdemeanant pretrial diversion. The district courts will admit non-violent misdemeanants with limited prior criminal involvement into the diversion program, but each case is determined for diversion eligibility on its own merits.

The diversion officer notifies the court of those defendants identified as potential diversion clients. In Boone County, the case is removed from the calendar until the particulars of the contract are settled and the agreement of all involved parties is reached. In Campbell and Kenton Counties, defendants may request diversion through the diversion officer or, most often, are referred to the program directly from the bench.

In all cases the defendant, his counsel, the prosecutor, and the court must agree to each item of the diversion contract. The contract specifies what is expected of the defendant regarding his conduct and participation in an available social service program, the length of the program, restitution if applicable, and a waiver of speedy trial rights and a promise not to file suit or request process against the complainant on the specific charge in question.

Diversion officers monitor contract compliance and social program participation by each divertee. Prosecution is deferred as long as the client complies with the provisions of the contract.

Upon successful completion of the contract, the charge pending against the defendant is dismissed in open court. If the contract is not successfully completed, the diversion officer places the case on a special diversion docket. Revocation hearings and contract finalization are both heard on this docket. If diversion is revoked, prosecution is reinstated and the case proceeds through the normal adjudicatory process.

2. Pretrial Mediation

The pretrial mediation program allows the district courts to offer a voluntary forum in which disputants can elect to use mediation in lieu of the normal criminal warrant process to identify the source of long standing problems and work together to build a long range, mutually agreeable resolution. The program is designed primarily to resolve neighborhood, domestic and other interpersonal disputes.

Mediation programs operate in Louisville, Lexington and the three-county Northern Kentucky metropolitan area. The Lexington program has operated for four years, and was placed under the administration of the Division in January 1979. The other programs began operation on May 7, 1979. All are federally funded, and combine to offer pretrial mediation services to 35% of the citizens of the Commonwealth. The programs are decentralized and operate under the daily direction and guidance of the district court judges in each county. Basic program procedures are modeled after the Columbus, Ohio Night Prosecutor's Program.

The mediation programs offer procedural information to citizens attempting to secure arrest warrants, identify cases which are appropriate for mediation and conduct hearings between the disputants. The mediators are trained to assist the parties in reaching a common understanding of their problems and a mutually agreeable resolution of conflicts.

Intake officers screen all requests for arrest warrants in the five counties where the programs operate. Intake officers listen to the problems of the complainant and if the alleged dispute is within the jurisdiction of the local program, the complainant is advised of the purposes, availability and benefits of mediation.

The programs are designed to resolve long standing interpersonal disputes. Domestic, neighborhood and landlord-tenant disputes as well as simple assault, criminal mischief, harrassment, menacing, threatening, trespassing, and bad checks are offenses commonly referred to mediation. While the complainant has the option to choose mediation instead of pursuing the warrant process, it

remains the authority of the trial judge to issue all process and thus ultimately restrict or permit entry into the mediation program.

Once the decision to pursue mediation has been reached, a hearing date is set within a seven-day period. Program clerks notify the respondent by mail of the scheduled mediation hearing.

Hearing officers, whose backgrounds and approaches vary widely, are employed on a part-time basis to mediate and guide the disputants in reaching a mutually agreeable resolution of their conflict. Some hearing officers are law students and legally oriented while others are oriented toward a social services approach.

Hearings which result in satisfactory problem resolution involve verbal, non-binding agreements, and may include referral to a local social services agency. Hearings in which agreements are not reached are usually referred to the trial bench for issuance of formal process.

Information provided during the mediation hearings and all program records are considered privileged and exempt from subpoena by local rules approved by the Supreme Court. This protection facilitates the free exchange of views between the parties during the hearings.

Follow-up contacts, or call-backs, are performed in most cases either by the hearing officer or program clerk. Complainants and respondents are contacted by telephone within 30 days of the hearing, and questioned regarding the stability of the agreement. If either party feels that the agreement has failed, he is advised to pursue formal process.

Annual statistics attesting to the success of these mediation and diversion programs are displayed on the following page.

DIVISION OF PRETRIAL SERVICES

Diversion and Mediation Programs
Statistical Report

July 1, 1979 - June 30, 1980

A. Diversion Component (16th, 17th, and 54th Judicial Circuits).

1.	Number of pretrial interviews		10,168
2.	Number of diversion reports prepared		2,310
3.	Number of defendants diverted		1,288
4.	Number of diversion contracts completed		1,024
	a. Number unsuccessful/referred to court	112	
	b. Number successful/prosecution dropped	912	
5.	Current caseload		465

B. Mediation Component (16th, 17th, 22nd, 30th, 54th - Judicial Circuits)

1.	Number of actions received		26,920
	a. Those referred for warrants or summons	12,328	
	b. Those referred for hearings	7,813	
	c. Other action	6,779	
2.	Number of hearings scheduled		9,904
	a. Those cancelled or withdrawn	4,180	
	b. Those rescheduled for later date	543	
	c. Those actually held	5,147	
	d. Pending	34	
	1. Those in which settlement reached	4,227	
3.	Number of call backs made		3,021
	a. Those which reported unsuccessful	375	
	b. Those which reported successful	1,944	
	c. No report received	702	
4.	Number of spouse abuse cases filed		2,001
	a. Those resulting in warrant/summons	911	
	b. Those referred to mediation	969	
	c. Number of repeat complaints	47	

THE DIVISION OF EDUCATION

The Division of Education strives to provide innovative, informative, and challenging educational seminars for judges and court support personnel so that each will have an opportunity to maintain the highest degree of professional competence necessary to perform the varied judicial services required by the public and the Court of Justice.

A. Structure and Organization

A three person staff is responsible for developing and coordinating the educational programs for the Kentucky Court of Justice. One director manages all seminars along with two educational services coordinators, one assigned to judicial programs and one to non-judicial programs.

All seminars sponsored by the Division of Education are accredited by the Kentucky Bar Association Continuing Legal Education Division so Kentucky's lawyer-judges now receive C.L.E. credit for attending educational programs. Within the past three years, seventy-eight (78) Kentucky judges have received the Continuing Legal Education Recognition Award for attending a minimum of 60 hours in continuing legal education courses approved by the bar association.

Separate education committees for circuit and district judges meet regularly during the year to assist the Division of Education in planning judicial seminars. By reviewing questionnaires and evaluations from previous programs, the committees obtain valuable information about the educational needs of the judges.

Circuit Judges Education Committee

Judge George Barker, Chairman
Judge William Allender
Judge J. B. Johnson, Jr.
Judge Carl Melton
Judge Sam Neace
Judge George Ryan
Judge Olga Peers

District Judges Education Committee

Judge John Daughaday, Chairman
Judge Howard Bowles
Judge Kelly Clore
Judge Benjamin Dickinson
Judge John Famularo
Judge Leonard Kopowski
Judge Edwin Rice
Judge Julia Tackett

B. Programs

1. Specialty Seminars

Specialty seminars are developed for specific legal topics that merit in-depth study over an extended period of time. These seminars provide an excellent opportunity for experts from state agencies and private service organizations to participate as instructors, workshop participants or resource persons at the programs. The following specialty seminars have been conducted by the Division of Education:

Circuit Judges: Sentencing Institute, April 23 - 25, 1980

District Judges: Juvenile Justice Seminar, February 2 - 3, 1979

Traffic Seminar, August 3 - 4, 1979

Alcohol and Drug Seminar, December 7 - 8, 1979

Legislative Update, July 16 - 19, 1980

2. Colleges

Annual week-long colleges are scheduled each fall for the circuit and district judges. The colleges provide an excellent forum for the judges to discuss and solve mutual problems or issues affecting the judiciary. In addition to providing refresher courses on basic substantive and procedural law, the curriculum may cover new legal developments, new legislation, court management or administrative changes. The faculty for the college generally includes nationally -

known judges and attorneys as well as prominent judges, attorneys and law professors.

Sixty (60) judges attended the 1979 Circuit Judges' College held October 1 - 4, at Western Kentucky University in Bowling Green. Professor Robert J. Levy, University of Minnesota Law School, presented a two-hour program on Marriage Dissolution and Maintenance, and District Judge James E. Mies of Michigan examined at length Fact Finding From A Judge's Perspective. Kentucky judges and attorneys instructed in the areas of Professional Malpractice, No-Fault Insurance and Recent Decisions. Small group workshops were utilized by the judges to discuss a variety of hypothetical problems concerning legal or administrative questions or issues.

Ninety-three (93) judges attended the 1979 District Judges' College held October 22 -25 and October 29 - November 1, at Lake Cumberland State Park. Judge Charles E. Moylan, Maryland Special Court of Appeals, presented an interesting and informative six-hour program on the law of Search and Seizure. Other topics addressed at the college included Relations Between the Judges and Other Local Officials, Fines and Costs, Court Management, Default Judgment and Post-Judgment Remedies, Evidence, Extradition, Probate, Recent Decisions and Probation and Parole.

3. Judicial Conference

A two-day Kentucky Judicial Conference is held each May for all Supreme Court, Court of Appeals, circuit and district judges. One theme of interest to all levels of the judiciary is presented at this program. The participants at the 1979 Conference at the Hyatt Regency in Lexington addressed the issue of "Judicial Conduct" while the 1980 Conference at the Executive Inn in Owensboro focused on "The Judge" and included speakers from the bench, bar and media. The 157 judges at the 1980 Conference studied topics such as Bench/Bar Relationship, Judicial Image and Demeanor, Media/Bar Relationship, and Judicial Stress.

4. State-Federal Conference

The first State-Federal Council meeting was held on October 30, 1979 at the Hyatt Regency in Lexington with a follow-up meeting on May 19, 1980 at the Executive Inn in Owensboro. A 30-member group of Kentucky Bar Association officials, Federal District and Sixth Circuit judges as well as Kentucky Supreme Court Justices, the Chief Judge of the Kentucky Court of Appeals, and Kentucky circuit and district judges discussed such topics as The Transportation of Federal Prisoners to State Court Proceedings and the Emerging Standards of Local Jails. The meetings provided a forum for discussing and solving problems of interest to the state and federal judiciary. To encourage and foster better relations between the state and federal judiciary, one meeting will be scheduled each May in conjunction with the annual Judicial Conference.

5. Continuing Legal Education Programs

Because the Divison of Education cannot conduct programs on every topic of interest to the judiciary, circuit judges were offered the opportunity to attend selected Continuing Legal Education programs sponsored by the University of Louisville and University of Kentucky Law Schools. The Circuit Judges' Education committee approved programs on Child Custody, Evidence in Criminal Law, Workmen's Compensation, New Kentucky Legislation and Domestic Relations.

6. Out-of-State Programs

In 1979-80, Kentucky judges attended educational programs sponsored by the National Judicial College, the American Academy of Judicial Education, the National College of Juvenile Justice, and the Institute for Court Management. The national seminars provided an excellent means to exchange information and ideas with judges from other states and to allow judges to strengthen their legal and judicial knowledge or skills. The judges trained nationally contributed significantly to the quality and substance of the in-state programs by serving as program planners, instructors, or workshop leaders.

From approximately 1600 applications, two Kentucky district judges were ultimately awarded scholarships to attend one-month seminars sponsored by the National Endowment for the Humanities. Judge Benjamin Dickinson attended a seminar at the University of Iowa on Changing Concepts of the Individual and Society in America, and Judge Walter Maguire attended the seminar at the University of Virginia Law School on The Role of a Judge in Theory and Practice: Four Career Studies.

The circuit and district judges who have attended national judicial education programs are as follows:

"Trial Judges Writing Program," American Academy of Judicial Education, Kissimmee, Florida, March 12-16, 1979, and Boulder, Colorado, July 23-27, 1979.

Judge Kenneth Goff
Judge B. R. Paxton
Judge Jack Mudd
Judge Earl O'Bannon
Judge Sid Douglass
Judge Charles Anderson

"Traffic Court Program," National Judicial College, Reno, Nevada, March 18-23, 1979.

Judge William Schmaedecke
Judge James Clay
Judge Michael Whelan
Judge James Lyon

"Special Court Jurisdiction," National Judicial College, Reno, Nevada, March 18-30, 1979; July 1-13, 1979; November 4-16, 1979.

Judge Glenn McDonald
Judge Charles Satterwhite
Judge Timothy Nolan
Judge Samuel Long
Judge Alfred Naff
Judge Fred Friske
Judge Thomas Garvey
Judge Donald Smalley
Judge Charles Scott
Judge Robert Gallenstein
Judge Edwin Rice
Judge Harold Stumbo
Judge Sid Easley
Judge Don Paris
Judge Lewis Hopper
Judge Dan Venters
Judge James Nicholson
Judge Charles Cornett

"Spring College," National College of Juvenile Justice, Reno, Nevada, April 1-13; August 5-17, 1979; August 19-31, 1979.

Judge Kenneth Dillingham
Judge Charles Brannen
Judge Joseph Ray
Judge Thomas Burton
Judge Richard FitzGerald
Judge James R. Daniels
Judge Peter Macdonald
Judge Perry Lewis

"Practicalities of Judging," American Academy of Judicial Education, Harvard Law School, Cambridge, Mass., June 18-22, 1979.

Judge Walter Maguire
Judge Laurence Higgins
Judge Charles Leibson

"General Court Jurisdiction," National Judicial College, Reno, Nevada, June 17-July 3, 1979; July 22-August 17, 1979; June 15-21, 1980.

Judge Kelly Asbury
Judge Sam Neace
Judge J. D. Atkinson
Judge William Cooper

"Evidence," National Judicial College, Reno, Nevada, April 29-May 4, 1979; June 24-29, 1979.

Judge Ken Corey
Judge Thomas Knopf
Judge Howard Bowles
Judge Richard Hinton
Judge John Diskin
Judge J. David Francis
Judge J. B. Johnson
Judge Will Tom Wathen

"Criminal Law," National Judicial College, Reno, Nevada, July 1-6, 1979.

Judge J. David Francis
Judge J. B. Johnson

"Trial Judge Academy," American Academy of Judicial Education, University of Colorado, Boulder, Colorado, July 8-20, 1979 and University of Virginia, Charlottesville, Virginia, August 6-17, 1979.

Judge Leonard Kopowski
Judge John Carter
Judge John Daughaday
Judge Robert Delahanty
Judge R. Randolph Behnken
Judge Leon Eichenholz
Judge Ellen Ewing
Judge Curtis Witten
Judge George Ryan

"New Trends," National Judicial College, Reno, Nevada, July 22-August 2, 1979.

Judge Thomas Spain

"Fact Finding and Decision Making Techniques," American Academy of Judicial Education, Durham, New Hampshire, August 20-24, 1979.

Judge Michael McDonald
Judge C. V. Sanders

"State Anti-Trust Litigation," National Judicial College, Reno, Nevada, December 2-7, 1979.

Judge Charles Anderson

"Constitutional and Criminal Procedure Program," American Academy of Judicial Education, Harvard Law School, Cambridge, Mass., June 16-20, 1980.

Judge S. Rush Nicholson

Three district and three circuit judges were appointed by Chief Justice John S. Palmore to serve as delegates to the American Bar Association National Convention, August 10-14, 1979, Dallas, Texas. Special conferences for state trial judges and special court judges were held during the convention.

"National Conference of Special Court Judges," Dallas, Texas, August 10-14, 1979.

Judge Robert Delahanty
Judge Sid Easley
Judge Leon Kopowski

"National Conference of State Trial Judges," Dallas, Texas, August 10-14, 1979.

Judge Caswell Lane
Judge James Chenault
Judge N. Mitchell Meade

7. Court of Appeals

Kentucky Court of Appeals judges have attended national specialty programs designed to enhance the judicial skills and expertise of appellate judges.

Three judges have completed the Appellate Judges' Writing Program sponsored by the American Academy of Judicial Education:

Judge Kenton J. Cooper
Judge Paul D. Gudgel
Judge Donald C. Wintersheimer

Eight judges have attended the Appellates Judges' Conference sponsored by the American Bar Association:

Judge Elijah M. Hogge
Judge Charles B. Lester
Judge Charles H. Reynolds
Judge Donald C. Wintersheimer
Judge John D. White
Judge Anthony M. Wilhoit
Judge J. William Howerton
Judge Roy N. Vance

Mr. John C. Scott, Clerk of the Kentucky Supreme Court and the Court of Appeals, has regularly attended the Fall and Summer programs of the National Conference of Appellate Court Clerks. The conferences covered such topics as data processing, statistics and court administration. In June 1980, Mr. Scott

completed a two-day specialty seminar on Records Management for Court Clerks sponsored by the National Center for State Courts.

8. Court Support Personnel

Circuit clerks and deputy clerks in Kentucky attend a two and one-half day Clerks' Conference twice a year which provides refresher courses on the clerks' established duties and responsibilities and provides information about new legislation or administrative rules affecting clerks. A Clerks' Education Committee assists the Division of Education in selecting topics and instructors for the conference.

Circuit Clerks Education Committee

Mr. Jim Groves, Chairman
Mr. W. J. Brien
Ms. Christine Coleman
Ms. Edith Cox
Mr. R. H. Gash
Ms. Carolynn Horn
Mr. John Kearns
Mr. Ed Schroeder
Mr. Arthur Walson
Mr. Leslie White

Two hundred and twenty-eight (228) clerks attended the June 1979 Clerks' Conference at the Executive Inn in Owensboro. Topics for the program included Juvenile Court, Forcible Detainer, Mental Inquest and Post Judgment Remedies in Small Claims Court.

At the Fall 1979 Conference, November 7 - 9 at the Drawbridge Inn in Northern Kentucky, Dr. Lucian Spataro, Director of the Center for Court Administration in Ohio, presented a new program on management for the circuit clerks. Follow-up workshops on management were held at the Summer Conference, June 18-20, 1980 at the Executive Inn in Owensboro. Circuit clerks attended workshops on Employee Evaluation and Motivation and Supervisory Skills while deputy clerks attended workshops on Stress and Time Management.

Two court services and six accounting seminars were held in 1979-80 to provide in-depth instruction on a new clerk's duties and responsibilities. The programs were developed and taught by personnel from the Division of Clerk Services and the Division of Internal Audit within the Administrative Office of the Courts.

In May 1980, a two day in-service program was developed by the clerks at the Hall of Justice in Louisville in which circuit court bench and step clerks reviewed job responsibilities and procedures. Personnel from the Administrative Office of the Courts served as resource persons for the program.

District court clerks at the Hall of Justice in Louisville completed a two-day video management seminar on Motivational Dynamics, conducted by the Director of Pretrial Services for Jefferson County.

9. Clerks Out-of-State Education

The Institute for Court Management offers a variety of court management programs geared to increasing the office skills and efficiency of court clerks. In 1979-80, 14 Kentucky clerks completed national training programs at ICM:

Mike Lawrence: Management for Justice System Supervisors, New Orleans, Louisiana, March 18-23, 1979.

Mary Anne Woltenburg, Bobbie Harris, and Ed Blau: Management of Criminal Cases, Denver, Colorado, April 22-25, 1979.

Beverly Doyle and Robyn Schroeder: Planning and Evaluating Jury Management Systems, Snowmass, Colorado, July 30 - August 3, 1979.

John Kearns, Christine Coleman, and Frances Shea: Personnel Administration Workshop, San Diego, California, October 14 - 17, 1979.

Eunice Moore, Sharon Mahan, Carolynn Horn, Chester Jones and Norma Harris: Management for Justice System Supervisors, Aspen, Colorado, July 20-25, 1980.

Four clerks, George Raber, Roy Gee, D. J. Simpson and Jim Garrett completed a two-day training seminar on Records Management for Court Clerks,

June 24-25, 1980 in Atlanta, Georgia, sponsored by the National Center for State Courts. The program addressed the topics of forms analyses and design, case and word processing, active and inactive records systems, and microfilming.

Four Kentucky circuit clerks, Ned Tolle, Edith Cox, Jim Groves and Leslie White attended the National Court Administrators' Conference July 10-13, 1979 at Sarasota, Florida.

10. Court Reporters

In 1979, Kentucky's court reporters met twice for an educational program, May 19 and October 2-3. In addition to lectures on The Relationships Between Court Reporters and the Bar, Use of the Research Library and Stress as it Relates to the Profession of Court Reporting, part of the program was spent on speedbuilding exercises to improve a reporter's competence and ability in the courtroom. The October program was certified by the National Court Reporters' Association and Kentucky's registered professional reporters received national continuing education credits for attending the state program.

11. Trial Commissioners

The first Trial Commissioners' Seminar was held March 28-29, 1980 at the Holiday Inn South in Louisville. The 30 participants reviewed the substantive law in areas for which trial commissioners are responsible. The session addressed problems encountered by trial commissioners concerning probate, juvenile, mental health, pretrial, bonds, arraignments, ethics, arrest and search warrants.

12. Trial Court Administrators

Seven of Kentucky's 13 trial court administrators have attended national educational programs designed to enhance and broaden their knowledge of the techniques available for a more efficient and effective court system.

Jim Gildersleeve: Court Management; National Judicial College, Reno, Nevada, December 3-8, 1978.

Roger McCubbin: Caseload Management and Jury Utilization; Snowmass, Colorado, June 10-15, 1979.

Gary Hovekamp: National Association of Court Administrators Convention; Sarasota, Florida, June 10-13, 1979.

Roger T. Vise: Court Management, Management Delay Program; Reno, Nevada, November 4-9, 1979.

Connie Kerr: Court Administration; National Judicial College, Reno, Nevada, December 9-14, 1979.

Barbara Taylor: Court Administration; National Judicial College, Reno, Nevada, December 9-14, 1979.

Sandra Lay Lockett: Records, Systems, and Procedures; Institute for Court Management, Atlanta, Georgia, February 10-19, 1980.

13. Judicial Secretaries

Twenty-five judicial secretaries attended a two-week summer institute on the court system in June 1979, sponsored by Midway College. The program which emphasized paralegal studies was designed to improve and expand on the present legal knowledge and job skills of secretaries serving judges in Kentucky.

14. Court of Justice Film

The Division of Education assisted in the development of a slide presentation on the Kentucky Court of Justice. The 13-minute audio-slide program was created to broaden the knowledge of new court personnel and the public about the courts and administrative organization responsible for the operation of the Kentucky unified court system.

DIVISION OF CLERK SERVICES

The Division of Clerk Services was established to provide the courts and circuit court clerks with sufficient technical assistance to carry out their duties in conformance with statutes, court rules and administrative regulations. The division is comprised of the director and four clerk services representatives. The growth of various programs and the importance of providing day-to-day services to the circuit clerks resulted in changing the former Division of Court Services to the Division of Clerk Services.

The objectives of the division are to (1) provide on-site emergency assistance to circuit clerks upon request and/or to work with circuit clerks on specific problems as ordered by the Director of the Administrative Office of the Courts; (2) provide daily telephone assistance to all circuit clerks and deputies; (3) provide records management support to circuit clerks who request assistance; (4) review every six months the forms needs of the Court of Justice; (5) review every six months the Circuit Clerk's Manual to insure that it accurately reflects the duties and procedures of the circuit clerks; and (6) prepare appropriate educational programs for court related conferences.

During calendar year 1979 the staff visited and worked with 53 counties, and from January through June 1980 an additional 16 counties were visited. On-site training programs have been a major effort for the Divison of Clerk Services involving staff time totaling 549 work days. To effectively meet the needs of the circuit clerks and their staffs, the program is currently being reviewed to initiate changes that will insure regular visits to all counties. An additional program function will include follow-up visits on request of the circuit clerks.

The division reorganized its travel schedules in an effort to enhance access and prompt response to the needs of the circuit clerks by making staff available daily in the AOC to answer telephone requests.

Records management support was increased significantly during the reporting period. The retention and disposal schedule developed in 1978 for district and circuit court records was approved by the Supreme Court and made a part of the Circuit Clerk's Manual. The schedule identifies all court records, the minimum time for retention, and a method of destruction, if appropriate. Also included in the schedule are methods for re-using tape cassettes on an annual basis, guidelines for disposing of exhibits, and directions for storing and/or microfilming case files.

The physical maintenance of court records continues to be a major problem for most counties. The Kentucky Department of Library and Archives opened a new record center in 1979 and a joint effort between that agency and the AOC has resulted in the transfer of some 10,000 cubic feet of case files from 21 counties. Revisions to the Department of Library and Archives schedules for the former police, magistrate and quarterly court records, along with the Jefferson County Circuit Court microfilming project, have resulted in the orderly and necessary destruction of some 11,000 cubic feet of records from 16 counties.

Since 1977, working with lawyers, judges, law enforcement officials, circuit clerks and deputy clerks, the AOC has issued 109 standardized forms and 31 standard accounting forms. All standardized forms have now been reproduced and made a part of the Circuit Clerk's Manual, and/or the Circuit Clerk's Accounting Manual. As the Division of Administrative Services upgrades its printing capabilities, it is anticipated that a number of forms will be printed on NCR (non-carbon) paper to facilitate increased efficiency in the deputy clerks' work.

The Circuit Clerk's Manual was reviewed extensively to insure compliance with recent legislative changes. Two supplements, in addition to the forms package, have been issued.

The Division of Clerk Services staff participated in a series of eight regional meetings, three semi-annual clerks conferences and two deputy clerks'

training programs. The conferences were designed to insure that all personnel have a working knowledge of current procedures for the preparation and filing of records and to advise of legislative changes.

THE DIVISION OF INTERNAL AUDIT

The Division of Internal Audit was established to audit the fiscal functions of the 120 circuit court clerks' offices throughout the state. It has the responsibility to determine compliance with the procedures and internal controls provided in the uniform accounting system which was installed on January 1, 1978 when the district courts were organized and circuit clerks became state officials. The statutory requirement that all fines, fees and forfeitures must be remitted by the circuit clerk to the state General Fund has resulted in an accounting system which maintains necessary fiscal accountability.

During the period January 1, 1979 through June 30, 1980, the internal audit staff was increased from five to seven persons, composed of a director, an office desk auditor and five field auditors. Field visits were made to 97 of the 120 clerks' offices during the 18 months covered by this report. As a result, offices in nine counties were found to have serious difficulties and 19 required major assistance to upgrade internal controls. Six of the counties visited have had or will require a complete reconstruction of transactions to establish adequate control records.

In the 18-month reporting period, the circuit clerks received and remitted to the General Fund $52,941,036.18, of which $35,091,360.66 was received in Fiscal Year 1979-80. Additional funds were received for other state agencies, such as drivers' licenses ($3,976,862.75) and fish and game fines ($115,430.62). The circuit clerks' offices also handled or were responsible for approximately $12,350,000.00 per month during this period for funds held in escrow for other parties.

Eight training sessions, comprised of groups of eight to ten clerks and their deputies, were conducted during this reporting period. The sessions included completion of practice problems which encompassed all types of transactions and fiscal operations conducted in the circuit clerks' offices, including daily and monthly closings and reporting. Due to funding limitations accounting training sessions will be limited to four in the coming fiscal year.

In addition to the training sessions indicated, on-site training will be conducted in 100 counties in the coming fiscal year. It is expected that most, if not all, of the counties with serious accounting problems will receive major attention during the year.

The Auditing Division will also assist the Facilities Section in reviewing the operating expenses submitted by the county fiscal courts for reimbursement for Court of Justice occupancy in county courthouses.

It is anticipated that the division will be called upon to perform intensive examinations in four to six counties. Additionally, a retirement and/or appointment of a circuit clerk will require training time by our field auditors in those counties. Training will be a major program in the 1981-82 fiscal year, because all circuit court clerks' offices are up for election.

Eleven cash shortage situations were investigated, resulting in complete recovery of monies in seven cases. Three cases were referred to the Commonwealth's Attorney for presentation to the grand jury. In one instance, referral was made to the Supreme Court for consideration of disciplinary action against the circuit clerk. The criminal investigation division of the Kentucky State Police was requested to assist in four of the cash shortage situations, enhancing recovery of money on two occasions.

THE STATE LAW LIBRARY

The responsibility of the State Law Library extends to the courts, the county law libraries and the operation of the central State Law Library in the Capitol Building at Frankfort. It is staffed by seven full-time and two part-time employees.

The central library consists of 70,000 bound volumes. The collections in the State Law Library and the offices of the Supreme Court and Court of Appeals were inventoried for insurance purposes, and were determined to have a value of $1,020,726. The inventory did not include State Law Library books in the 120 county law libraries, the offices of the 87 circuit judges or the offices of the 114 district judges.

A. Courts

The State Law Library serves the Supreme Court and Court of Appeals by purchasing and administering books and continuations for the offices of the justices and judges, and orders additions to the Court of Appeals staff attorney collection.

For the trial courts, and consistent with the previous policy of the State Law Library, the 87 circuit and 114 district judges were allowed wide discretion in the selection of law books for their offices. Through the central library, purchases were made for these selections, and continuations to the Kentucky Revised Statutes, Kentucky Decisions, and advance sheets of reports of cases.

B. County Law Libraries

KRS 172.110(4) requires each circuit court clerk to make an annual report of state-owned books in the 120 county law libraries. Each circuit clerk was requested to submit this report in December 1979; 108 of the 120 clerks complied.

There are significant differences between the law libraries in the various counties. The county law libraries range from books furnished by the state to very useful law libraries financed by the tax on lawsuits and misdemeanor convictions.

The State Law Librarian accomplished the goal of visiting all 120 county law libraries, a task which required nearly four (4) years to complete.

The county law libraries are a vital part of the State Law Library's mission. Complete service to the Kentucky bench and bar cannot be rendered from a centralized library in Frankfort, although the State Law Library can furnish significant support by supplying and loaning books, copies of articles, out-of-state cases, and sections of books. Pursuant to KRS 27A.210(7) and (8), to the extent that funds and staff are available, the State Law Library renders advice and assistance to the county law libraries and other publicly funded law libraries. If called upon, the State Law Library will furnish assistance in the areas of book selection, acquiring sets of books on the used market, purchasing books, supplies, and other materials, rebinding old reports and other books, binding periodicals, marking county law library books for identification, arranging facilities and selecting equipment, fixtures, and furnishings, and advice concerning library cataloging. The funds used for such purposes, however, must be those of the county law library or other publicly funded law library because state general funds are not available for such purposes.

In 1979-1980 the State Law Library purchased continuations to the Kentucky Revised Statutes, Kentucky Decisions, and South Western Reporter 2d advance sheets for the 120 county law libraries.

The growing cost of law book subscriptions and the need to provide adequate service to the courts and citizens have placed many county law libraries

at a disadvantage under the current financing of $1 per civil case and 50¢ per misdemeanor conviction. County law library trustees, judges, and others have expressed concern that until KRS 172.180(3)(a), which sets the fees collectable by county law libraries, is amended to increase the fees, county law libraries will face increasingly inadequate funding.

During the 1980 General Assembly, a bill which would have increased the fees collectable by the county law libraries was defeated. A resolution which would have been useful in studying and planning for improved statewide law library facilities also failed to pass the General Assembly.

C. State Law Library

1. Readers' Services

The State Law Library's principal obligation is to the Court of Justice, but it is also the central collection of legal literature for state government. The members of the bar are officers of the courts, and the courts depend in part on the legal research of advocates practicing in the courts; for these reasons the State Law Library is available to all attorneys, regardless of whether they are in private practice or work for other departments in state government. The State Law Library is available to public officials, state employees, and citizens who are not otherwise connected with state government.

The State Law Library is staffed only as a support service for the Court of Justice. For that reason, the reference services available to persons who are not members of, or employed by, the Court of Justice are limited. Reasonable requests which are not time-consuming are accommodated by the library staff and are ordinarily limited to: (1) selection of textbooks or treatises which are likely to be relevant to the inquiry; (2) suggestions of legal encyclopedias, digests, or indexes to aid in finding pertinent cases or other material; (3) selection of statutory compilations which are likely to yield desired material; and (4) brief explanations of the various sources selected.

Among the services which are not available at the State Law Library, except for those provided to the Court of Justice and its employees, are the following: (1) preparation of bibliographies; (2) searches for statutes or cases that tend to decide concrete questions of law; (3) preparation of briefs or memoranda, (4) Lexis searches, and (5) other services that would constitute the practice of law.

Timely information concerning current legal literature is furnished through regular written features for Accent On Courts and Kentucky Bench & Bar. These features consist of brief summaries of selected articles appearing in legal periodicals, and succinct descriptions of newly published books available at the State Law Library.

The State Law Librarian meets frequently with judges to discuss law book needs and make recommendations.

The State Law Library published and distributed gratis to each of the 222 justices and judges, 21 law clerks, the legal staff of the Attorney General, the legal staff of the Legislative Research Commission, each of the Kentucky law schools, some county law libraries, and others, Guide to Kentucky Legal Research: A State Bibliography, by Wesley Gilmer, Jr., copyright 1979. The Guide is an 82-page, GBC (spiral) bound, 6" X 9" paperback book which contains a classified list of books useful for Kentucky legal research. It contains as an appendix an auxiliary, topical index to the Debates of the 1890 Constitutional Convention, and is indexed with 20 pages of analysis by topic, KRS section number, names of uniform, model and other acts, authors, and titles. Copies are available for sale at $10 each.

The readers' services activities of the State Law Library during the 18 months, January 1, 1979-June 30, 1980, are tabulated in Table 1.

2. Cataloging

Monographs, periodicals, the Kentucky collection, and rare books are classified, cataloged, labeled, and arranged on the reading room shelves according

TABLE 1

READERS' SERVICE ACTIVITIES

Month (1979)	Days Open	Number of Readers	Items Circulated	Reference Inquiries	Copies Made for Patrons
January	21	543	329	46	146
February	19	452	251	30	351
March	22	515	379	53	215
April	20½	463	299	34	225
May	22	492	282	30	127
June	21	518	288	36	206
July	21	462	233	39	296
August	23	422	267	52	263
September	19	388	267	59	205
October	23	472	325	45	227
November	20	414	259	35	222
December	17	290	165	30	110
Totals	248½	5,431	3,344	489	2,593
(1980)					
January	22	590	415	49	220
February	20	534	383	68	394
March	21	617	303	48	291
April	21½	491	187	46	93
May	20½	496	253	51	406
June	21	545	358	42	158
Totals	126	3,273	1,899	304	1,562
GRAND TOTAL FOR 18 MONTHS	375½	8,704	5,243	793	4,155

to the Los Angeles County Law Library classification system. The remainder of the collection will be cataloged and classified during 1981.

Improvement of the card catalog was accomplished during 1979-80. Cards for books no longer owned by the State Law Library were removed from the catalog. Location signals were placed on the catalog cards to indicate where the books are located and periodical cards were filed in the card catalog. Some of the catalog cards for the periodicals were supplied by the Library of Congress and original catalog cards were typed for periodicals with no Library of Congress cards.

3. Staff Attorney

A staff attorney position was added to the State Law Library in August 1978, with funds from a federal grant. The duties of the staff attorney consist of assisting members of the Court of Justice with legal research inquiries. Under the supervision of the State Law Librarian, the staff attorney responds to mail and telephone requests and provides memoranda of law reinforced with selected copies of precedent cases, law review articles, and relevant passages from texts and treatises. During the past 18 months of the staff attorney project, 5,328 pages of copied law library material accompanied 128 legal memoranda mailed to the judges.

The addition of an attorney to the law library staff makes available to all members of the judiciary the services of a law clerk and the resources of the State Law Library. Besides the State Law Library collection, the staff attorney has available interlibrary loan service and Lexis computerized legal research. All research inquiries received are routinely researched on the Lexis computer before a memorandum is sent to the judge.

The goal of the staff attorney is to provide quality research to the members of the Court of Justice as quickly as possible. Short telephone answers are provided on a daily basis when the judge needs immediate assistance, followed by a letter or short written memorandum, if necessary. Extensive legal memoranda are ordinarily provided within a month.

During 1978-1979, 329 inquiries were received from justices and judges. The staff attorney furnished 128 written responses and 200 unwritten responses. Of these inquiries, 38 were from the Supreme Court, 37 from the Court of Appeals, 116 from the circuit courts, 134 from the district courts, and 4 from other sources. Seventy-six per cent (76%) of the requests were from previous users of the staff attorney's services. A compilation of statistics for the past 18 months is included in Table 2.

Inquiries received by the staff attorney have covered a wide range of topics. The most commonly requested topics requiring a written response were: criminal procedure 16; constitutional law 11; jurisdiction 9; civil procedure 7; municipal corporations 5; contracts 4; and search and seizure 4. Other topics included: declaratory relief, due process, evidence, fines, no-fault insurance, probate law and practice, sentencing, and theft.

4. Computerized Legal Research

The use of the Attorney General's Lexis computer is a significant addition to the legal research capabilities of the State Law Library, because the computer's data base contains full text reports of cases of the Kentucky Supreme Court and the Court of Appeals since January 1, 1955, federal court cases, other states' reports of cases, the United States Code, and the statutes of some states.

The use of Lexis has been limited to: (a) assistance to the Court of Justice in its research, either to supplement research already accomplished by members of the Court of Justice, or as a routine part of the research accomplished for justices and judges by the staff attorney, and (b) occasional uses by the State Law Library staff to answer reference questions in instances where the task can be accomplished more efficiently by the use of Lexis or where it cannot be accomplished except by the use of Lexis.

The Lexis computer is able to accomplish quickly some legal research tasks which cannot be accomplished by the use of any existing books. It is not a substitute for traditional legal research in law books; it is merely a device for legal research in a different way.

TABLE 2

State Law Library

Staff Attorney

Summary of Activities

January 1, 1979 - June 30, 1980

	Supreme Court	Court of Appeals	Circuit Courts	District Courts	Other	Totals
Number of inquiries received by staff attorney	38	37	116	134	4	329
Number of inquiries from previous users	27	26	101	94	2	250
Number of written responses drafted by staff attorney	3	2	51	72		128
Number of unwritten responses by staff attorney	34	34	63	66	3	200
Number of pages of copies law library material furnished by staff attorney						5,328

5. Other Collections

The State Law Library has, during the reporting period, added to the collection of other states' statutes by replacing unannotated statutes with up-to-date annotated statutes for Connecticut, Illinois and Washington.

Digests of reports of cases for the states of California, Florida, Illinois, Indiana, Michigan, Missouri, New York, Ohio, Pennsylvania, Tennessee, Virginia and West Virginia were added.

The State Law Library's collection of state editions of Shepard's Citations was expanded in 1979-1980 to include citators for the following states: California (volumes necessary to complement California volumes already in collection), Florida, Illinois, Indiana, Michigan, Missouri, New York (volumes necessary to complement New York sets already in collection), Ohio (volumes necessary to complement Ohio volumes already in collection), Pennsylvania, Tennessee, Virginia, and West Virginia.

Concentration on improvement of the State Law Library's textbook and treatise collection continued in 1979-1980, and resulted in the addition of titles to the collection which appeared to be relevant to the legal business of the Court of Justice and, to a small extent, other departments of the state government. During the period, the State Law Library acquired 2,940 new volumes and destroyed 1,000 replaced or superseded volumes.

The collection of legal periodicals increased from 193 titles in December 1978, to 226 titles in June 1980. There are, however, 417 titles of legal periodicals which are relevant to law now indexed in the Index to Legal Periodicals. Some of the library's legal periodical titles extend for many years in the past, but most of them cover the last eight or fewer years.

A few surplus non-Kentucky law books were sold during 1979-1980. Pursuant to KRS 27.210(6) the money collected from those sales will be used for new books for the State Law Library.

6. Public Stack Room

The renovation of a former storage room in the Capitol Building was made possible by an appropriation by the 1978 General Assembly. Improvements to the basement area, completed in June 1980, have resulted in a well-ventilated and well-lit 20' x 40' room which is used as a public stack room and reading room, with a microform area.

DIVISION OF REGIONAL SERVICES

The Regional Services Division was created in June 1980, and is composed of three sections: Regional Administration; Information/Statistics; and Data Processing. The division was established to expedite the trial of cases in the most economical manner possible consistent with justice and the individual court case. The division goal reflects the strong reorientation of three key operational sections towards delivery of Administrative Office of the Courts support services through the vehicle of the existing regional administration program. The Data Processing Section and Information/Statistics Section were transferred from their respective former divisions to effect coordination under a single umbrella of activities to support the trial courts.

A. Regional Administration

By order of the Supreme Court dated December 5, 1977, a pilot project for regional administration was created and became effective January 2, 1978. Pursuant to Section 112(4) of the Kentucky Constitution, a statewide regional administration plan had been developed by the Administrative Office of the Courts and presented to the Judicial Council for its consideration. The Council recommended the plan for initial experimentation in two circuit court regions. Following initial success of the concept, ten regions were approved and established to encompass the entire Commonwealth. Additionally, three pilot district court regions were proposed and established in 1978. Two of the district court regions have unique boundaries while the third region has boundaries coterminous with the Eastern Region of the circuit court program.

The regional administration project had four goals during this period: (1) to equalize work among the judges within regions; (2) to expedite the disposition of litigation within regions; (3) to promote uniform procedures and practices within regions and throughout the state; and (4) to increase the responsiveness of the Administrative Office of the Courts to the needs of the trial courts.

A number of factors were considered in determining the composition of the ten regions, including: (1) caseload per circuit judge; (2) the rank order of judicial circuits by caseload per judge; (3) the number of circuit judges and counties; (4) geographical constraints; (5) highway quality and access; (6) trial commissioner use; and (7) kinship disqualification.

Under the provisions of the charter accompanying the order of the Supreme Court, a chief regional judge is selected in each region by the circuit judges within the region. His duties are: (1) to plan, coordinate and supervise activities within each region; (2) to advise the regional coordinator of information necessary to make a judicial transfer decision; (3) to work with the regional coordinator to set up exact procedures for conducting the project within his region; and (4) to exercise within his region the temporary assignment authority delegated to him by the Chief Justice. It is the latter activity which has occupied much of the administrative judges' time with the program.

The regions have acted vigorously under the charter to exercise special judge assignment authority. In addition to the 125 judicial assignments made by the Chief Justice for district court, special assignments have been made in the 10 circuit court regions during the period January 1, 1979 through June 30, 1980 as follows:

REGION		NUMBER OF ASSIGNMENTS
1.	Purchase	38
2.	Pennyrile	129
3.	Green River	84
4.	Central	209
5.	Northwestern	7
6.	Northern	26
7.	Northeastern	78
8.	Southeastern	122
9.	Eastern	104
10.	Mountain	112
	TOTAL	909

The Southeastern Region (13th, 26th, 27th, 34th, 44th, and 50th judicial circuits) has undertaken several projects aimed at improving Southeastern Region judicial services. With the assistance of the Law Enforcement Assistance Administration (LEAA) Criminal Courts Technical Assistance Project, American University, three significant programs have been completed.

An initial planning meeting was held at the LEAA Criminal Courts Technical Assistance Project (CCTAP) at the American University, Washington D. C., in December 1978. The chief regional judge of the Southeastern Region discussed his role as coordinator for technical assistance, the range of issues and tasks which would be addressed in the program, and the nature of assistance to be provided by the CCTAP. In addition to the chief judge of the Southeastern Region and CCTAP staff, the meeting was attended by the director of the North Carolina Administrative Office of the Courts, a regional court administrator for a multi-county region in northern Minnesota, and a professor of judicial administration at American University's School of Justice. All participants have been involved in rural and regional court administration activities in a number of jurisdictions throughout the country.

As a result of the discussions, the chief regional judge identified three priority areas for technical assistance:

(1) Identification of case flow and records management problems in the region and recommendations for improvement, and for more uniform procedures within the region;

(2) Assessment of facility needs required for the regional program and the adequacy of existing courthouses in the region to accommodate those needs;

(3) Development of a public information program which would improve the relationship of the court system with the community.

In January 1979, a private consultant specializing in justice system facility planning met with the Southeastern Region judges at a meeting to discuss the case flow and facility components of the technical assistance requested. Areas of particular concern were noted and arrangements made for the consultants to conduct site work in their respective areas of expertise during May 1979. In March 1979, an acting justice of the Supreme Court of New York and a private public relations consultant from Louisville, Kentucky met with the judges to discuss potential ways by which the regional court system might improve its relationship with the local community. A number of recommendations were subsequently implemented with no further consultant assistance deemed necessary.

As each phase of the technical assistance effort was completed, draft reports prepared by the consultants were submitted to the chief regional judge of the Southeastern Region for his review. His comments were incorporated into the final reports, which were presented in three volumes:

I. Court-Community Public Information Program.

II. Case flow and related issues analyzed in selected circuits of the Southeastern Region.

III. Preliminary assessment of facility needs of the 13 courthouses in the Southeastern Region.

In addition, the court received a copy of a survey instrument developed for Montgomery County, Maryland to measure judicial attitudes towards case flow operations and working conditions in their respective courts. It was thought that since many of the items surveyed in Montgomery County, Maryland relate to matters addressed in this technical assistance effort, the instrument would be useful, with appropriate modification, to the judges in Kentucky's regional program. These materials are available to the Administrative Office of the Courts and will serve as a reference point for similar court improvement activities within the regional program.

Other projects underway or in preparation in the regions include the development of the Kentucky Justice Information System (KJIS) Committee. This committee, when fully developed, will have representatives from all components of the Court of Justice who share the common goal of developing a comprehensive and uniform Court of Justice Information System. General announcement of the program was made in February 1980, and information system committees have been established in Jefferson, Fayette and Campbell Counties. It is anticipated that representatives from special court improvement project committees as well as the three county case information system committees will serve as the nucleus for a vigorous development of uniform policies, techniques and procedures in information systems throughout the Commonwealth.

There has been a concerted effort within the regional administration program to develop active court information subcommittees. In each of the three counties mentioned above, Jefferson, Fayette and Campbell, the AOC has assisted in the organization and technical support to the three committees. The activities of the committees are marked by agenda, minutes and specific task assignments in order to insure that these programs are rendered consistent statewide.

In Jefferson County, under the auspices of the Jefferson County Court of Justice Steering Committee, the Jefferson County Case Information System (JCIS) committee was formed. Task responsibilites of the membership were clarified, specific work assignments made, and measureable progress accomplished. The most important achievement has been the development of trust and professional support among those involved in the development of the Jefferson

County Case Information System, including judges, the circuit clerk, deputies and line supervisors in the clerk's office, clerical personnel, leadership and staff of the warrant diversion program, pretrial services, local police leadership and the county and state prosecutors' office.

As an adjunct to committee activity, the Jefferson County Manager for AOC Pretrial Services has led the organization of a broad variety of persons in the development of an effective 24-hour, on call, warrant administration program. Under this program, if a policeman on the beat needs specific information as to whether a warrant or other process is outstanding against a suspect, he may obtain that information by a direct phone call to a court office maintained in the Hall of Justice. Supervisors in the clerk's office have worked closely with the district judges to develop simple procedures to insure that only viable warrants and other processes are maintained in a single file in the warrant control room.

In Campbell County District Court the chief judge has led the development of a program which brought together the police, constables, sheriff, clerk, judges of the district court, and others necessary to the implementation of a warrant administration program. A manual system was developed through the cooperation of all parties and a written understanding was achieved to implement the program. The regional administration staff provided support in the drafting and implementation of the program. Special emphasis was placed on consistency of the manual data processing program adopted with that in other counties. A significant long range goal of the KJIS committee is the development of a Commonwealth-wide data processing application for warrant information.

The chief district judge in Fayette County leads the Fayette County Case Information System (FCIS) committee composed of district judges, the circuit clerk, the deputy clerk for district court, line supervisors, AOC data processing staff personnel assigned to Fayette County, the Division of Regional Services data processing manager and secretarial support from regional administration staff. This committee, and its working subcommittee, is engaged in the development and installation of automated data processing support for a refined traffic court case procedure. The systems design is completed and the data processing staff works closely with the clerk's office to make the automated system operational.

Regional administration staff has cooperated with two circuit judges in Jefferson County in the development of information for a Family Court program. One of the circuit judges and personnel from regional administration visited the Court of Domestic Relations in Cincinnati, Ohio, which enjoys a national reputation as a pioneer in the field. A presentation was made to the General Term of the Circuit Court in Jefferson County. It was determined that there was substantial opportunity to improve the working relationship between the court and the Family and Children Services in the local social welfare structure. Following full development of those services, further consideration will be given to the Family Court concept.

B. Data Processing

1. Existing Services

The data processing section of the Administrative Office of the Courts was established in May 1977. Since that time the following automated systems have been developed and placed in full production with continuous maintenance and enhancement.

A payroll cost distribution/reporting system was designed to distribute payroll and fringe cost for the circuit clerks to the 120 counties and to create automatic budget adjustments and expense transactions for entry into the accounting system. The section also maintains an employee pay file used to produce Unemployment Insurance reports by employee and county.

The State Personnel Department produces the payroll checks and maintains all employee pay records, however, this system is necessary in order to identify the counties to which payrolls are assigned.

An expenditure accounting system was designed for all financial accounts and to provide accurate and timely management information concerning availability of funds or overruns in the budget for each fiscal year. Financial statements are regularly distributed to the circuit clerks. The system has the

capability of providing detail expenditure reports by account, minor object, and identification number.

For balancing and reporting purposes, a file of open in-transits and encumbrances and a file of detail expenditure transactions for each fiscal year is maintained. The system also provides an automatic detail reconciliation with the Kentucky Department of Finance.

A unified county receipt system was developed to automate manual procedures of validating the Financial Summary Reports received from the counties each month, and to maintain a history of and adjustments to these reports. This file provides an audit trail and summary reports of cash receipts and disbursements for the AOC Division of Internal Audit.

Financial statements with old and new year comparisons and additional reports by judicial region, judicial district and statewide for calendar and/or fiscal years are in the process of being developed.

The address/label system is the smallest and most widely used of the computerized systems. Labels and envelopes with the name and address of all Court of Justice personnel, circuit clerks, district and circuit judges, and court administrators, as well as the news media, may be selected and produced for any combination of the above classifications.

A personnel/position control system was designed to control all filled and vacant positions in the court system. P-3's (request for position action form) and P-1's (request for personnel action form) are utilized to update the personnel master file, which contains employee information for all active employees. When an employee is terminated, the information is placed on the termination file. A transaction history file and termination file is maintained for reporting purposes. The personnel master file is used to produce personnel listings in various sequences, P-1's for annual increments, and budget projections for calendar and fiscal years.

A file of all state and other-owned equipment is maintained by location and item number. The system has the capability of transferring equipment from

one location to another. A master listing of all equipment in each location is filed with data processing by the facilities section, and summary reports are available on request.

Using the opening and closing circuit court case cards as input, the system maintains a pending file of all open cases. When a case is closed, it is placed on the closed case file and remains there until prior year cases are purged from the closed cases and placed on a historical file. The system produces: List of Open Cases by Court, and List of Closed Cases by Judge. A Combined List of Open and Closed Cases is provided on hard copy report and on microfiche.

The district court case summary system captures district court summary data only for total opening and closing caseload by case type. The system generates a district case summary report by county within district and has the capability of providing county and statewide summary information.

An automated perpetual inventory system of supplies and forms is under development, which will provide inventory control with an automatic re-order procedure depending on the established re-order level, and maintain a minimum balance for emergency shipments. Inventory balances and shipping orders will be produced daily. There will be a historical transaction file of detail information of equipment sent to each location. This information will be a valuable tool in projecting future cost and establishing future re-order levels.

2. Special Projects

In addition to the ongoing responsibilities assigned to the Data Processing Section of the Division of Regional Services, three special projects received the attention of the data processing staff.

First, and by far the most demanding, has been the provision of support for the Jefferson County Case Information System. In early 1979, funding to undertake a comprehensive management study of the Jefferson County district and circuit courts was approved by the Kentucky Crime Commission and the Kentucky Department of Finance. After competitive bidding and oral presentations an award

was made to Arthur Young and Company. Their report, issued in August 1979, resulted in the formation of a Jefferson County Court of Justice Steering Committee, whose primary responsibility was to implement the recommendations of the study, including a statement of general requirements for a data processing application to serve the courts in Jefferson County. For this purpose the Jefferson County Case Information System (JCIS) Committee was established, which included members of the staff of the Division of Regional Services and AOC data processing staff assigned in Jefferson County.

Since the first meeting of the Committee held February 1, 1980, intensive technical support has been provided to maintain the system that existed prior to the organization of the district court in January 1978, which included scheduling of the receipt of citations from Jefferson County law enforcement agencies and a Master Offense Table.

Revisions were made to the existing data processing system to eliminate substantial delay in the receipt of citations prior to the expiration of the "prepayable" date. Revisions were made to the Master Offense Table which included an update of legal changes resulting from legislation, modified fines and costs, and the addition of a legislatively mandated fee to be remitted to benefit jails. In addition, a program was designed to produce microfilm copies of reports.

The data processing staff was engaged in the technical development of a systems design for applications, some of which were recommended by Arthur Young and Co. The design focused upon a revision of procedures associated with traffic cases, ranging from the development of work flow charts to recommendations for positions descriptions and activities. Changes in internal office procedures, along with data processing applications, have resulted in smoother traffic court procedures in Jefferson County.

The second project in which the data processing section has been involved is the development of an improved "manual data processing" system, specifically, warrant administration, in the three-county Northern Kentucky area (Boone, Kenton, and Campbell Counties). The revised procedures provide for more efficient and timely handling of warrants.

The third special project, the development and installation of a data processing team in Fayette County, is similar to that in Jefferson County, including a complete review of district court traffic procedures.

C. Information/Statistics

The Information/Statistics Section was created to collect and disseminate data and to conduct statistical research as necessary to assist in the administrative operations of the Court of Justice. In June 1979, the section was transferred from the former Court Services (now Clerk Services) Division to the Division of Regional Services. In accordance with the objectives of the Division of Regional Services this transfer reflects a change in the section's orientation to emphasize the trial court case management aspects of statistics utilization as well as dissemination of summary caseload data reports.

1. Major Projects

Special interest has been placed in quality control over the data currently collected on court cases. Section staff persons have been working closely with the circuit clerk's offices to help improve their accuracy in filling out the statistical reporting cards for circuit and district court. The section is working closely with the data processing section in another quality control step. Internal office procedures and computer quality control programs have been written to insure the accuracy and standardization of information at the time the data from the statistical reporting cards is entered into the computer.

The section had several projects completed or nearing completion to make the court case information more timely and understandable to the user of the information. Annual report information has been standardized and simplified to make analysis by the user easier. The computer files are very accurate as to all cases pending before the courts since 1978, the year the statistical reporting cards were required to be submitted by the circuit clerks. Pre-1978 cases that are still pending must be entered into the system to properly reflect the full pending workload of the trial courts. To that end during this period the

Information/Statistics Section has worked closely with the circuit clerks' offices to obtain their cooperation in submitting opening case cards on all pending pre-1978 cases. Printout programs of case listings and summaries of case data have been improved to display statistics by a judge as well as by court, and by fiscal as well as calendar year. Through joint efforts with the Data Processing Section the time between the submission of a request for a computer printout of case listings and the production of the report has been reduced from four months to approximately four weeks.

A method for the circuit clerk to report prepaid traffic citations was introduced during this reporting period. Prepaid traffic citations do not require a court appearance, therefore, statistical cards are not submitted and included in a county's case workload figures. Handling these prepayables does constitute, however, a major time-consuming activity for the clerks. These activities were not, heretofore, reported. A procedure and form to make that report were developed and presented to the Circuit Clerks' Conference in June, 1980.

In response to the trial courts concern that there should be an objective method of determining court personnel needs, a circuit court case-weighting study was completed using a method designed by the Rand Corporation known as the Delphi Method. This method was applied to gather a consensus of opinions from circuit judges concerning the amount of time it takes to process different categories of cases. The responses were then analyzed, resulting in a scale of "weights" of each type of case compared with all other types of cases.

The questionnaires through which the data was collected were submitted to the circuit judges at the October 1978 Judicial Conference and by mail in February 1979. The first analysis was returned to all responding judges for comments and suggested modifications to the scale of "weights". The few modifications recommended were included in the final scale and the initial report of the "Weighted Caseload Study" was completed in the summer of 1979. This valuable tool for analysis will be fully utilized when all pre-1978 pending cases have been reported by the circuit clerks. The computer files of all "pending cases"

can then be used with the weighted caseload information as a tool for evaluating judge workload and other court personnel needs.

2. 1980 General Assembly

In conjunction with the staff legal counsel, the Information/Statistics Section contributed to the development of the Program Memorandum. This document contained, among other things, a compilation of criteria to be used for recommending additional circuit and district judgeships to the Supreme Court, and ultimately to the General Assembly. It included analyses of median and ranked county and circuit/district caseload statistics, population figures, travel mileages between county seats within jurisdictions, and commentaries on road conditions and other special jurisdictional contingencies. Evaluation of these criteria by the Chief Justice, Administrative Office of the Courts staff, and others resulted in the issuance of a certification of necessity by the Supreme Court for four additional circuit and 22 additional district judgeships, with further recommendations for redrawing several jurisdictional boundaries.

Throughout the legislative session, the Information/Statistics Section Manager served as a resource person for House and Senate committees, and empirical evaluations of several committee amendments to proposed legislation, using the criteria stated in the Program Memorandum. Ultimately, the General Assembly funded the four additonal circuit judgeships certified by the Supreme Court, and nine of the district judgeships.

The General Assembly also had several bills under consideration (described in the paragraphs which follow) which, if passed, would directly affect operations of the Court of Justice. A 39-county sample survey was conducted by Information/Statistics Section and other available staff to evaluate the impact of these bills on the courts. Testimony concerning the results of this survey was given at several House and Senate committee meetings during their deliberations on the relevant bills, and two of the bills studied were eventually passed.

As a result of House Bill 130, small claims jurisdiction was increased from $500 to $1,000, effective July 15, 1980. Information was collected in the survey in order to determine the possible impact of this change. Based on this information, approximately a 29.3% increase in the small claims filings can be expected from a transfer of cases from the district court civil division. The foregoing is merely a statistical analysis with no attribution of other external effects that may occur as a result of publicizing these changes.

The Program Memorandum also provided information for analysis of House Bill 974, which becomes effective July 1, 1982. This bill requires, in part, that the district court assume jurisdiction over competency hearings in mental health cases. The data collected suggested that there would be little substantial increase in workload in that the total district court caseload would increase by less than 1%.

The survey also analyzed data on House Bill 132, which was not passed by the General Assembly. This bill would have allowed certain civil actions concerning automotive repairs to be filed as small claims actions for up to $2,500. Another proposed bill, which ultimately was never introduced, concerned raising the total district court civil jurisdiction to $2,500. The reaction from the clerks who were visited during the survey was highly apprehensive concerning any increase in responsibility for the district court. In addition, a separate statistical impact study concerned House Bill 259, which would have required that Commonwealth-initiated civil actions be filed in the county of residence of the defendant, instead of the current procedure of filing them in Franklin County. This bill also failed to pass.

3. Jefferson County Jury Pool Project

In February 1979, the first evaluation report of the Jefferson County Juror Utilization and Demonstration Project (the Project) was completed for the Law Enforcement Assistance Administration and the Project's Local Evaluation Committee, using data covering the 15-month period June 27, 1977-September 4, 1978.

The five goals of the project were (1) to increase the defensibility of juror selection methods; (2) to decrease reluctance on the part of citizens to serve on jury duty; (3) to improve responsiveness of the jury system to court needs; (4) to reduce the economic burden on jurors; and, (5) to decrease court and community costs.

In furtherance of the project, forms were designed to aid in evaluation of the issuance of summons and use of petit jurors. The Juror Exit Questionnaire was revised to obtain better information from persons who had been through the system as jurors. These forms were designed to obtain information about the cost of the project.

The reports based on those forms indicated that 35.1% of those summoned actually served on jury duty during the evaluation. The account of summons form gathered information about jurors who are disqualified, excused or whose service is postponed for every two-week jury period. A petit jury form is used to measure the effectiveness of jury utilization and to also indicate waiting periods experienced by judges on those occasions when sufficient jurors were not readily available to start trials.

The jury pool project staff worked with the Information/Statistics Section to develop these forms and procedures, gather the data from May 1, 1979 to February 11, 1980. The data was then checked and verified in readiness for final analysis which was then begun. That information will appear in the next annual report.

4. Pretrial Release Point-Scale Evaluation

The Division of Pretrial Services uses a "point-scale" to provide objective information to the judge as he makes the decision whether or not to release a defendant pending trial. The original "point-scale," in use since 1976, had never been evaluated to see if it was a good measure of the likelihood of the defendant appearing for trial after he had been released without bail. Details of

the point-scale system are included under the division activities discussion elsewhere in this report.

A study was made of defendants who had been released on their own recognizance in Jefferson and Fayette Counties, using the "point-scale" during the period July 1976 to January 1977. That evaluation indicated that the point-scale should be revised and tested in a second pilot project. This second evaluation took place in Fayette County from October 1979 through March 1980.

The two evaluations have now been tested and verified to insure their validity. By June 1980, the two evaluations had been completed and the data verified and entered into the computer in preparation for the final report. The results of these evaluations will be published in the next Annual Report.

5. Objectives: July 1980 - June 1981

The Information/Statistics Section will provide technical support to the Court of Justice for development of recommendations for recircuiting and redistricting. This program was requested by the House Appropriations and Revenue Committee during the 1980 legislative session. The section will also provide technical support for other jury utilization improvement projects such as use of "jury pool," "one-day/one-trial" programs. In support of the Court of Appeals, the section will work with the Chief Judge and Clerk of the Court of Appeals and the Data Processing Section to begin the design of a case management system to supplement the present "open-closed" case reports.

JUDICIAL STATISTICS
Fiscal Year 1979-80

A. Appellate Court Statistics

Monthly summaries of case filings and dispositions appear for the Supreme Court of Kentucky in Table 1, and for the Kentucky Court of Appeals in Table 2. Historical filings and dispositions, dating from the first full fiscal year of operation of the Court of Appeals (1977-78), appear on Tables 3-A and 3-B, for the Supreme Court and Court of Appeals, respectively.

1. The Supreme Court

A total of 251 cases were pending in the Supreme Court on July 1, 1979. During the fiscal year, a total of 936 new cases were filed and 871 cases disposed, leaving 316 total cases pending at the close of the fiscal year on June 30, 1980 (Table 1). This represents an increase in Supreme Court backlog of 65 cases, or 25.9%, caused primarily by the increase in filings of motions for discretionary review which were up 16.6% from the previous fiscal year (452 to 527 - Table 3-A). Backlog in these matters alone increased from 87 to 181 cases.

The data for particular case types in Table 1 show that there were a total of 326 direct appeals and original actions filed, and 352 such cases disposed, resulting in a net reduction in backlog of 26 for these types of cases. Filings in this category include 125 appeals as a matter of right, 115 granted motions for discretionary review filed for review, 7 granted motions for transfer and 7 transfers upon recommendation of the Court of Appeals, 6 original actions (primarily petitions for writs of mandamus), 4 cases docketed on the Court's own motion due to untimely perfection of the appeals, and 62 Kentucky Bar Association

TABLE 1

SUPREME COURT CASELOAD

FISCAL YEAR 1979-1980

MATTERS FILED	PENDING JUL. 1	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL	
DIRECT APPEALS/ORIGINAL ACTIONS	147	23	13	31	23	26	37	31	23	31	39	17	32	326	
MOTIONS FOR INJUNCTIVE RELIEF	5	0	0	0	1	0	1	1	2	0	0	0	1	6	
MOTIONS FOR TRANSFER	2	2	3	1	1	1	0	0	0	0	0	3	2	13	
MOTIONS FOR DISCRETIONARY REVIEW	87	38	46	47	58	35	29	45	36	42	58	50	43	527	
PETITIONS FOR REHEARING	10	9	1	5	2	6	10	4	4	2	5	4	12	64	
TOTAL	251	72	63	84	85	68	77	81	65	75	102	74	90	936	
MATTERS DISPOSED															PENDING JUN. 30
DIRECT APPEALS/ORIGINAL ACTIONS		33	4	39	48	26	29	17	17	12	51	37	39	352	121
MOTIONS FOR INJUNCTIVE RELIEF		1	0	0	1	0	0	1	1	2	0	0	1	7	4
MOTIONS FOR TRANSFER		3	1	2	3	0	1	0	0	0	0	0	2	12	3
MOTIONS FOR DISCRETIONARY REVIEW		0	1	28	71	54	30	15	47	73	33	50	31	433	181
PETITIONS FOR REHEARING		10	5	2	5	9	3	2	9	0	8	7	7	67	7
TOTAL		47	11	71	128	89	63	35	74	87	92	94	80	871	316

TABLE 2

COURT OF APPEALS CASELOAD

FISCAL YEAR 1979-1980

MATTERS FILED	PENDING JUL. 1	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL	
CIVIL APPEALS	704	143	142	114	157	116	111	153	146	142	146	143	156	1669	
CRIMINAL APPEALS	215	35	37	20	35	26	26	62	44	37	38	38	44	442	
ORIGINAL ACTIONS	11	12	5	5	10	5	6	12	7	7	9	7	7	92	
MOTIONS FOR INJUNCTIVE RELIEF	7	0	0	2	0	3	3	1	2	0	1	1	3	16	
DISCRETIONARY REVIEW	7	4	4	1	0	5	4	5	1	8	6	9	1	48	
CIVIL PETITIONS FOR REHEARING	68	15	24	20	12	9	16	29	27	15	30	17	14	228	
CRIMINAL PETITIONS FOR REHEARING	10	1	5	2	3	1	2	4	2	4	2	3	3	32	
TOTAL	1022	210	217	164	217	165	168	266	229	213	232	218	228	2527	
MATTERS DISPOSED															PENDING JUN. 30
CIVIL APPEALS		111	147	74	113	133	118	107	189	146	150	166	155	1609	764
CRIMINAL APPEALS		40	33	18	38	19	31	23	49	36	17	28	33	365	292
ORIGINAL ACTIONS		6	7	7	8	7	3	6	12	9	7	6	12	90	13
MOTIONS FOR INJUNCTIVE RELIEF		4	2	0	1	0	3	3	2	1	1	0	0	17	6
DISCRETIONARY REVIEW		6	5	1	3	0	4	6	2	0	5	9	9	50	5
CIVIL PETITIONS FOR REHEARING		15	22	17	17	16	15	14	24	20	26	20	29	235	61
CRIMINAL PETITIONS FOR REHEARING		2	12	4	2	2	2	4	2	4	2	3	2	41	1
TOTAL		184	228	121	182	177	176	163	280	216	208	232	240	2407	1142

TABLE 3-A

SUPREME COURT HISTORICAL CASELOAD DATA**

FISCAL YEARS 1977-1978 THROUGH 1979-1980

FISCAL YEAR	TOTAL MATTERS PENDING JUL. 1		DIRECT APPEALS/ ORIGINAL ACTIONS	MOTIONS FOR INJUNCTIVE RELIEF	MOTIONS FOR TRANSFER	MOTIONS FOR DISCRETIONARY REVIEW	PETITIONS FOR REHEARING	TOTAL MATTERS	TOTAL MATTERS PENDING JUN. 30
1977-1978	282	FILED	209	7	22	453	98	789	
		DISP.	303	7	25	402	92	829	242
1978-1979	242	FILED	338	7	13	452	49	859	
		DISP.	294	6	14	491	45	850	251
1979-1980	251	FILED	326	6	13	527	64	936	
		DISP.	352	7	12	433	67	871	316

** SUPREME COURT WAS KNOWN AS "COURT OF APPEALS" PRIOR TO JANUARY 1, 1976, WHEN THE NEW INTERMEDIATE LEVEL COURT OF APPEALS WAS CREATED. ALTHOUGH THE NEW COURT OF APPEALS BECAME OPERATIONAL IN AUGUST, 1976, THE SUPREME COURT RETAINED JURISDICTION OVER MOTIONS FOR INJUNCTIVE RELIEF AND ORIGINAL ACTIONS UNTIL FEBRUARY, 1977. THIS HISTORICAL CASELOAD LISTING BEGINS WITH THE COURT OF APPEALS FIRST COMPLETE FISCAL YEAR OF OPERATION -- 1977-1978.

TABLE 3-B

COURT OF APPEALS HISTORICAL CASELOAD DATA**

FISCAL YEARS 1977-1978 THROUGH 1979-1980

FISCAL YEAR	TOTAL MATTERS PENDING JUL. 1		CIVIL APPEALS	CRIMINAL APPEALS	ORIGINAL ACTIONS	MOTIONS FOR INJUNC-TIVE RELIEF	DIS-CRETIONARY REVIEW	CIVIL PETITIONS FOR REHEARING	CRIMINAL PETITIONS FOR REHEARING	TOTAL MATTERS	TOTAL MATTERS PENDING JUN. 30
1977-1978	1225	FILED	1205	285	81	28	5	298	54	1956	
		DISP.	1332	311	89	24	7	286	64	2113	1068
1978-1979	1068	FILED	1386	383	53	18	23	236	49	2148	
		DISP.	1440	365	58	17	16	250	48	2194	1022
1979-1980	1022	FILED	1669	442	92	16	48	228	32	2527	
		DISP.	1609	365	90	17	50	235	41	2407	1142

** COURT OF APPEALS CREATED AS INTERMEDIATE APPELLATE COURT ON JANUARY 1, 1976, BUT DID NOT BECOME OPERATIONAL UNTIL AUGUST, 1976, AND DID NOT RECEIVE JURISDICTION OVER MOTIONS FOR INJUNCTIVE RELIEF AND ORIGINAL ACTIONS UNTIL FEBRUARY, 1977. THIS HISTORICAL CASELOAD LISTING BEGINS WITH ITS FIRST COMPLETE FISCAL YEAR OF OPERATION -- 1977-1978.

actions. Of the latter, 20 were disciplinary actions, 23 motions for reinstatement, 8 motions for admission without examination, 7 resignations, 2 retirements, and 2 other matters.

Of the total 352 dispositions of direct appeals and original actions, 281 were disposed of by 240 written opinions. The remaining 71 of these cases were disposed by order, the vast majority of these being dispositions of Kentucky Bar matters.

Concerning dispositions of the other case types shown on Table 1, 6 of the 7 injunctive relief matters (Rule 65.09) were denied and one granted. Of the 12 motions for transfer, 3 were granted and 9 denied. Of the 433 motions for discretionary review, 117 were granted, 298 denied, 4 dismissed, 4 withdrawn, and 10 vacated and remanded to the Court of Appeals for issuance of mandate. A total of 58 of the 67 petitions for rehearing were denied, 4 were dismissed, and one failed for want of a majority vote of justices. In the remaining 4 rehearing cases, the petitions were granted, old opinions withdrawn, and new ones issued.

In addition to the caseload data shown, the Supreme Court heard 148 intermediate motions, primarily for extensions of time to file for certification of records. The Court also heard 799 other types of motions, exclusive of those specified above, such as motions to proceed in forma pauperis, to dismiss, or to substitute parties.

2. The Court of Appeals

The Court of Appeals began the fiscal year with a total of 1,022 cases pending on July 1, 1979. During the year, there were 2,527 new cases filed and 2,407 cases disposed, leaving a total of 1,142 cases pending as of June 30, 1980 (Table 2). There was an increase in Court of Appeals backlog of 120 cases, or 11.7%.

Specific case type data in Table 2 show that there were a total of 2,111 direct appeals (1,669 civil, 442 criminal) filed during fiscal year 1979-80, and 1,974 (1,609 civil, 365 criminal) such cases disposed during the same period. Filings in

these matters have steadily increased over the last few years, from 1,490 (1,205 civil, 285 criminal) in fiscal year 1977-78, and 1,769 (1,386 civil, 383 criminal) in the last fiscal year (Table 3-B). The 1979-80 total of 2,111 represents a 342-case, or 19.3%, increase over fiscal year 1978-79. Although backlog in these matters increased by 137 cases, the total 120-case increase in Court of Appeals backlog is computed by subtracting some reductions of backlog in other types of cases.

It should be noted that a "discretionary review" case in the Court of Appeals is not counted in the same manner as a "motion for discretionary review" in the Supreme Court. Specifically, they are comparable only if the motion is denied. If a motion for discretionary review is granted in the Court of Appeals, it continues as a "discretionary review" case until it is disposed. If such a motion is granted in the Supreme Court, it is considered disposed and is refiled as an appeal. Despite this difference, however, the Court of Appeals and Supreme Court have a common denominator in the original motion for discretionary review.

The data in Table 3-B show that the number of filings of discretionary review cases in the Court of Appeals has increased over the previous fiscal year, from 23 to 48. (The 5 such cases shown for 1977-78 is not truly representative of a full year's filings since the source of these cases for the Court of Appeals, i.e., the district court, did not come into being until January 1, 1978). By contrast, Table 3-B shows that the number of petitions for rehearing in the Court of Appeals, both civil and criminal, has consistently decreased over the three-year period.

The increase in the frequency of discretionary review motions in both appellate courts may be indicative of a general desire on the part of litigants to accelerate the appellate process at all levels by bypassing the circuit court or the Court of Appeals levels and proceeding to the next highest court. The consistent decrease in petitions for rehearing in the Court of Appeals may further exemplify this desire to speed up the appellate process, i.e., passing over a possible intermediate step between the Court of Appeals decision and its appeal to the Supreme Court.

In addition to the caseload data shown in Table 2, the Court of Appeals also heard 2,318 other types of motions, similar to those considered by the Supreme Court.

B. Trial Court Statistics

1. The Circuit Courts

The total statewide case filings and dispositions for Circuit Courts appear in Table 4. Complete breakdowns by case type and by county and circuit appear in Appendix A.

Also included in many of the tables in this section is a statistic called a "clearance rate," which is the ratio of the number of dispositions during the year to the number of new cases filed during the same year:

(a) Less than 100% -- number of dispositions less than number of new filings; backlog increased for the year period by amount of difference between filings and dispositions.

(b) 100% -- number of dispositions equal to number of new filings; no change in backlog for the year period.

(c) More than 100% -- number of dispositions greater than number of new filings; backlog decreased for the year period by amount of difference between dispositions and filings.

For example, if a court has 1,000 new cases filed during a given year, and disposes of 800 cases (new or old) during that same year, the court would have a clearance rate of 80% (800/1,000). The clearance rate would indicate that the court's backlog increased by 200 cases (1,000 minus 800) over the year period. Stated another way, the court has fallen 20% (200/1,000) behind its filings during the year.

Table 4 shows that there were 80,773 new cases filed in circuit court in Kentucky during fiscal year 1979-80, and 73,702 cases disposed, giving a statewide overall clearance rate of 91.2% for the circuit court. The figures illustrate that the total circuit court backlog of cases at the end of fiscal year 1979-80 was 7,071 cases larger than at the beginning of the same fiscal year, and that the circuit court fell 8.8% behind its new filings during the year.

TABLE 4

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

STATEWIDE

CIRCUIT/COUNTIES		CASE TYPES***											NO. OF JUDGES
		CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	
STATEWIDE TOTAL	FILED	11162	397	34999	20479	63	707	403	2428	2367	7768	80773	87
	DISP.	9455	392	33383	18873	75	702	312	2247	2183	6080	73702	
	%**	84.7%	98.7%	95.4%	92.2%	119.0%	99.3%	77.4%	92.5%	92.2%	78.3%	91.2%	

** RATIO OF DISPOSITIONS TO FILINGS STATED AS A PERCENTAGE. IN ADDITION TO WHERE DISPOSITIONS EQUAL ZERO, CALCULATIONS WHERE FILINGS EQUAL ZERO (REQUIRING DIVISION BY ZERO) ARE NOTED AS "0.0%".

*** FROM LEFT TO RIGHT, THE CASE CATEGORIES ARE CRIMINAL (COUNTED BY DEFENDANT), CRIMINAL AND TRAFFIC CASE APPEALS FROM DISTRICT COURT, DOMESTIC RELATIONS, CIVIL SUITS, PROBATE CHALLENGES AND WILL CONTESTS, WORKMENS COMPENSATION BOARD APPEALS, CIVIL CASE APPEALS FROM DISTRICT COURT, ADOPTIONS AND TERMINATIONS OF PARENTAL RIGHTS, MENTAL HEALTH COMMITMENTS AND COMPETENCY HEARINGS, AND OTHER CIVIL CASES (E.G., APPEALS FROM ZONING OR OTHER ADMINISTRATIVE BOARDS, TAX APPEALS, UNIFORM RECIPROCAL SUPPORT ACT CASES, COMMONWEALTH-INITIATED FISCAL SUITS, CASES INVOLVING ONLY INJUNCTIVE RELIEF, ETC.). CRIMINAL CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY OF CRIMINAL CASELOAD DATA.

Table 4 also shows that 34,999 (43.3%) of the 80,773 circuit court cases were domestic relations matters. While these are primarily new divorce cases, legal separations, annulments, and certain reopened post-divorce hearings (e.g., changes in custody, support, or visitation rights) are also included. These latter types of hearings often involve greater time and work for all concerned than do the original divorce actions from which they result. The next largest case category, civil suits, comprises 25.4% (20,479/80,773) of the cases, and criminal cases, including appeals of district court actions, account for only 14.3% (11,559/80,773) of the circuit court case volume statewide.

Clearance rates for nine of the ten circuit court case types are less than 100%, indicating increases in backlogs. For seven of these categories, clearance rates exceed 90%, the exceptions being appeals of district court civil cases (77.4%), "other" civil cases (78.3%), and criminal cases (84.7%). Many of the criminal defendants whose cases are pending are unapprehended fugitives for whom warrants are outstanding.

Table 5 shows the statewide numeric and percentage increases and decreases in case filings and dispositions for circuit court, by case category, between fiscal years 1978-79 and 1979-80. Complete breakdowns of increases and decreases in total filings and dispositions by county and circuit between the two fiscal years appear in Appendix C.

Table 5 shows that the total circuit court case filings increased from 70,926 during the previous fiscal year to 80,773 in fiscal year 1979-80, an increase of 9,847 cases, or 13.9%. Table 5-B for the circuit court shows an increase in case dispositions statewide for the same period from 65,778 to 73,302, a total of 7,924 cases, or 12.0%. The total statewide clearance rate decreased from 92.7% (65,778/70,926) during fiscal year 1978-79 to 91.2% (Table 4-B) during this fiscal year. These data illustrate that, on a statewide basis, new case filings have outpaced dispositions. This is true despite the fact that circuit judges have increased their dispositions by 12% over the previous year, and have spent considerable time calling their dockets and disposing of large numbers of relatively old, non-progressing cases.

TABLE 5

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASES

CIRCUIT COURT

STATEWIDE BY CASE TYPE

TYPE OF CASE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
CASE FILINGS***				
CRIMINAL	11162	10124	1038	10.3 %
CRIM. DISTRICT COURT APPEAL	397	388	9	2.3 %
DOMESTIC RELATIONS	34999	30917	4082	13.2 %
CIVIL SUIT	20479	17461	3018	17.3 %
PROBATE	63	102	-39	-38.2 %
WORKMENS COMPENSATION	707	744	-37	-5.0 %
CIVIL DISTRICT COURT APPEAL	403	289	114	39.4 %
ADOPTION/TERMINATION	2428	2266	162	7.1 %
MENTAL COMMIT./COMPETENCY	2367	2181	186	8.5 %
OTHER CIVIL	7768	6454	1314	20.4 %
TOTAL FILINGS	80773	70926	9847	13.9 %
CASE DISPOSITIONS***				
CRIMINAL	9455	9259	196	2.1 %
CRIM. DISTRICT COURT APPEAL	392	328	64	19.5 %
DOMESTIC RELATIONS	33383	27653	5730	20.7 %
CIVIL SUIT	18873	17275	1598	9.3 %
PROBATE	75	189	-114	-60.3 %
WORKMENS COMPENSATION	702	592	110	18.6 %
CIVIL DISTRICT COURT APPEAL	312	228	84	36.8 %
ADOPTION/TERMINATION	2247	2175	72	3.3 %
MENTAL COMMIT./COMPETENCY	2183	2544	-361	-14.2 %
OTHER CIVIL	6080	5535	545	9.8 %
TOTAL DISPOSITIONS	73702	65778	7924	12.0 %

*** CIRCUIT COURT CRIMINAL CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY. DOMESTIC RELATIONS CASES INCLUDE SEPARATIONS, ANNULMENTS, AND CERTAIN POST-DIVORCE HEARINGS, AS WELL AS ORIGINAL DIVORCE PROCEEDINGS. "OTHER CIVIL" CASES INCLUDE APPEALS FROM ADMINISTRATIVE (ZONING, TAX, ETC.) BOARDS, UNIFORM RECIPROCAL SUPPORT ACT CASES, COMMONWEALTH-INITIATED FISCAL SUITS, CASES INVOLVING ONLY INJUNCTIVE RELIEF, AND OTHER CASES NOT SPECIFICALLY CATEGORIZED.

Table 5 also shows the largest numeric increase in circuit court filings to be in domestic relations matters (4,882 cases) and civil suits (contract, personal injury, property damage, and property rights litigations--3,018 cases). This accounts for 72.1% (7,100/9,847) of the total circuit court case increase. From the data in Appendix C, it can be seen that 95 of the 120 counties showed increases in domestic relations filings, with 52 of them registering increases of 15% or more. Analagous data for civil suits were 100 and 65 counties, respectively.

An additional 13.3% (1,314 cases) of the total 9,847-case increase constituted "other" civil cases, the largest part of which are Uniform Reciprocal Support Act matters and Commonwealth-initiated fiscal suits filed in Franklin County. Another 10.5% (1,038 cases) of the total increase were criminal cases. The data in Appendix C show that a total of 81 of the 120 counties showed increases in "other" civil cases, 53 of them of 15% or more. For criminal cases, the corresponding numbers were 88 and 62 counties, respectively.

During economic downturns, criminal and domestic relations cases have tended to increase nationally. Such increases in these two case types in Kentucky are evident here, accounting for 5,120 (52.0%) of the total circuit court increase. Additionally, about one-third of the 1,314-case increase in "other" civil cases occurred in Franklin County, where these cases are primarily tax non-payment suits filed by the Department of Revenue. This could also be an effect of family economic problems caused by the current recession. However, since reliable caseload data comparing previous, non-recession years with these figures are not available, this can be considered only reasoned speculation.

One additional point is worth noting concerning the data in Table 5. For the first time since court data collection began in 1972, appeals of district (or other lower) court civil cases exceeded such appeals of criminal cases (403 to 397, respectively). This is due to a near-40% increase in civil case appeals, from 289 to 403 between fiscal years 1978-79 and 1979-80, while criminal case appeals appear to have levelled off. Of the 120 counties in Kentucky, the figures in Appendix C show that 93 of them registered increases in district court civil appeals.

Table 5 also shows that increases in dispositions by case type follow the same ordering as increases in filings, i.e., domestic relations first, followed by civil suits, "other" civil cases, and criminal cases. However, only for domestic relations cases is the magnitude of the disposition increase (5,730 cases) more than commensurate with the increase in filings (4,082). There were about 1,650 more dispositions than filings for this case type, partially because many of the cases disposed during docket calls were old divorce proceedings that never culminated in a decree.

For the other three case types, Table 5 shows that disposition increases were considerably less than the concomitant increase in filings. For civil suits, dispositions increased by 1,598 cases, compared to an increase of 3,018 in filings. For "other" civil cases, the data show a 545-case increase in dispositions, compared with a 1,314-case increase in filings. For criminal cases, the courts increased dispositions by 196 cases between the two fiscal years, whereas filings increased by 1,038 cases.

In summary, circuit court case filings are increasing at a greater rate than courts can dispose of them. The increase in circuit court cases is a statewide phenomenon, and not the result of large increases concentrated in particular areas. Examining the figures in Appendix C, only 7 of the 120 counties in the Commonwealth (Fleming, Garrard, Knott, Lawrence, Trimble, Warren, and Webster) showed decreases in total circuit court case filings, and these ranged only from 1 (Lawrence and Trimble) to 77 (Warren) cases. On the other hand, 53 counties, almost half of the remaining 113, showed increases of more than 15%.

Tables 6-A and 6-B list, respectively, the judicial circuits in rank order of total case filings-per-judge and dispositions-per-judge for fiscal year 1979-80. Per-judge figures are calculated by dividing the total caseload in a jurisdiction by the number of judges presiding there. Also included on each of these tables are the counties within each circuit, the comparable per-judge caseload data and ranks for the previous fiscal year, and the number of judges in the circuit.

When comparing the rank-ordering of circuit or district court dispositions-per-judge between years, it should be noted that dispositions are

subject to greater variation over time than are filings, both in number of cases and rankings. Disposition figures can change radically from year to year when a judge calls the docket and disposes of a large number of unenhanced cases on a single order. Case filings-per-judge, on the other hand, depend only upon the input of cases into the court, and not upon any actions of the court or the particular judge.

Circuit court total case filings-per-judge (Table 6-A) range from 540 (18th Circuit) to 1,506 (25th Circuit). The addition of four new circuit judgeships, approved at the 1980 session of the General Assembly, will reduce the filings-per-judge of the 1st, 2nd, 3rd, and 5th ranked circuits by fifty percent (50%). Circuit court dispositions-per-judge (Table 6-B) range from 376 (36th Circuit) to 1,445 (44th Circuit).

2. The District Courts

The total statewide case filings, dispositions, and "clearance rates" for District Court appear in Table 7. Complete breakdowns by case type by county and district appear in Appendix B.

Table 7 shows that there were 646,459 total new cases filed in district court in Kentucky during fiscal year 1979-80, and 560,080 cases disposed, giving a statewide overall clearance rate of 86.6% for the district court. This data indicates that the total district court backlog at the end of fiscal year 1979-80 was 86,379 cases larger than it was at the beginning of the fiscal year, and that the district court fell 13.4% behind its filings during the year period.

Table 7 illustrates that the plurality of case filings in district court are traffic cases (287,148 of 646,459 -- 44.4%). These are court cases only, i.e., prepaid traffic citations are not included. Together, traffic and misdemeanor cases account for 72.4% (467,775 of 646,459) of the total district court case filings. The clearance rates for all seven district court case types are less than 100%, indicating that backlogs have all increased since the beginning of fiscal year 1979-80. The rates vary for the different case types; from 76.3% for civil cases to 93.2% for felony cases. Many of the undisposed misdemeanor and traffic defendants have failed to appear at their court dates and are currently subjects of outstanding warrants or FTA-notices to the Department of Transportation.

TABLE 6-A

FISCAL YEAR 1979-80 RANKED TOTAL CIRCUIT COURT CASE FILINGS PER JUDGE

FY 79-80 RANK	FY79-80 FILINGS PER JUDGE	JUDICIAL CIRCUIT	COUNTIES				FY78-79 FILINGS PER JUDGE NO.	FY78-79 FILINGS PER JUDGE RANK	NO. OF JUDGES
1	1506**	# 25	CLARK	MADISON			1296	(2)	1
2	1400**	# 27	KNOX	LAUREL			1274	(3)	1
3	1388**	# 3	CHRISTIAN				1308	(1)	1
4	1286**	# 48	FRANKLIN				1030	(6)	2
5	1249**	# 24	JOHNSON	LAWRENCE	MARTIN		1177	(4)	1
6	1227	# 34	MCCREARY	WHITLEY			1036	(5)	1
7	1114	# 41	CLAY	JACKSON	LESLIE		954	(13)	1
8	1089**	# 6	DAVIESS				891	(18)	2
9	1075	# 42	CALLOWAY	MARSHALL			968	(11)	1
10	1072	# 51	HENDERSON				915	(16)	1
11	1064	# 54	BOONE	GALLATIN			976	(10)	1
12	1059	# 28	PULASKI	ROCKCASTLE			996	(7)	1
13	1055**	# 4	HOPKINS				907	(17)	1
14	1040	# 21	BATH	MENIFEE	MONTGOMERY	ROWAN	821	(24)	1
15	1040**	# 35	PIKE				924	(15)	2
16	1040	# 38	BUTLER	EDMONSON	HANCOCK	OHIO	877	(19)	1
17	1025**	# 30	JEFFERSON				956	(12)	16
18	1021	# 31	FLOYD				981	(9)	1
19	1016	# 11	GREEN	MARION	TAYLOR	WASHINGTON	826	(23)	1
20	999**	# 14	BOURBON	SCOTT	WOODFORD		933	(14)	1
21	964**	# 20	GREENUP	LEWIS			866	(20)	1
22	961	# 22	FAYETTE				760	(30)	6
23	959**	# 13	GARRARD	JESSAMINE	LINCOLN		859	(21)	1
24	955	# 26	HARLAN				838	(22)	1
25	955**	# 50	BOYLE	MERCER			775	(28)	1
26	953**	# 8	WARREN				992	(8)	2
27	953	# 43	BARREN	METCALFE			790	(25)	1
28	930**	# 10	HART	LARUE	NELSON		763	(29)	1
29	929**	# 12	HENRY	OLDHAM	TRIMBLE		776	(27)	1
30	890	# 9	HARDIN				721	(33)	2
31	864**	# 32	BOYD				607	(45)	2
32	859	# 45	MCLEAN	MUHLENBERG			691	(36)	1
33	839	# 56	CALDWELL	LIVINGSTON	LYON	TRIGG	710	(34)	1
34	834	# 46	BRECKINRIDGE	GRAYSON	MEADE		787	(26)	1
35	816**	# 17	CAMPBELL				732	(32)	2
36	789	# 29	ADAIR	CASEY	CUMBERLAND	MONROE	686	(37)	1
37	771	# 7	LOGAN	TODD			616	(44)	1
38	764	# 33	PERRY				697	(35)	1
39	758	# 5	CRITTENDEN	UNION	WEBSTER		737	(31)	1
40	741	# 16	KENTON				653	(40)	4
41	728	# 40	CLINTON	RUSSELL	WAYNE		664	(39)	1
42	718**	# 2	MCCRACKEN				631	(42)	2
43	710	# 37	CARTER	ELLIOTT	MORGAN		647	(41)	1
44	709	# 36	KNOTT	MAGOFFIN			674	(38)	1
45	689	# 44	BELL				597	(46)	1
46	683	# 47	LETCHER				527	(54)	1
47	675	# 52	GRAVES				574	(48)	1
48	670	# 53	ANDERSON	SHELBY	SPENCER		583	(47)	1
49	668	# 15	CARROLL	GRANT	OWEN		536	(52)	1
50	656	# 39	BREATHITT	POWELL	WOLFE		617	(43)	1
51	623	# 49	ALLEN	SIMPSON			536	(53)	1
52	602	# 19	BRACKEN	FLEMING	MASON		554	(50)	1
53	598	# 1	BALLARD	CARLISLE	FULTON	HICKMAN	563	(49)	1
54	593**	# 55	BULLITT				539	(51)	1
55	591	# 23	ESTILL	LEE	OWSLEY		486	(55)	1
56	540	# 18	HARRISON	NICHOLAS	PENDLETON	ROBERTSON	452	(56)	1

** THESE CIRCUITS UTILIZE SPECIAL "DOMESTIC RELATIONS COMMISSIONERS". THE PARTICULAR JURISDICTIONS AND CASELOADS OF THESE COMMISSIONERS VARY CONSIDERABLY IN DIFFERENT CIRCUITS, AND SOMETIMES IN DIFFERENT COUNTIES WITHIN A SINGLE CIRCUIT.

TABLE 6-B

FISCAL YEAR 1979-80 RANKED TOTAL CIRCUIT COURT CASE DISPOSITIONS PER JUDGE

FY 79-80 RANK	FY79-80 DISPOSITIONS PER JUDGE	JUDICIAL CIRCUIT	COUNTIES				FY78-79 DISPOSITIONS PER JUDGE NO.	FY78-79 DISPOSITIONS PER JUDGE RANK	NO. OF JUDGES
1	1445	# 44	BELL				928	(8)	1
2	1365	# 34	MCCREARY	WHITLEY			849	(10)	1
3	1354**	# 3	CHRISTIAN				1231	(3)	1
4	1276**	# 25	CLARK	MADISON			1062	(5)	1
5	1239**	# 30	JEFFERSON				1017	(6)	16
6	1033	# 42	CALLOWAY	MARSHALL			956	(7)	1
7	1005	# 54	BOONE	GALLATIN			918	(9)	1
8	957**	# 27	KNOX	LAUREL			844	(11)	1
9	922**	# 4	HOPKINS				1142	(4)	1
10	918**	# 50	BOYLE	MERCER			644	(32)	1
11	915	# 46	BRECKINRIDGE	GRAYSON	MEADE		818	(14)	1
12	911**	# 24	JOHNSON	LAWRENCE	MARTIN		1256	(2)	1
13	901	# 51	HENDERSON				830	(12)	1
14	900	# 26	HARLAN				438	(48)	1
15	885**	# 6	DAVIESS				749	(17)	2
16	874	# 11	GREEN	MARION	TAYLOR	WASHINGTON	741	(20)	1
17	859	# 21	BATH	MENIFEE	MONTGOMERY	ROWAN	661	(30)	1
18	856	# 31	FLOYD				660	(31)	1
19	829	# 28	PULASKI	ROCKCASTLE			823	(13)	1
20	826**	# 13	GARRARD	JESSAMINE	LINCOLN		744	(18)	1
21	826	# 22	FAYETTE				724	(23)	6
22	825**	# 12	HENRY	OLDHAM	TRIMBLE		724	(22)	1
23	815**	# 35	PIKE				743	(19)	2
24	805**	# 48	FRANKLIN				1731	(1)	2
25	799	# 41	CLAY	JACKSON	LESLIE		605	(35)	1
26	780**	# 10	HART	LARUE	NELSON		665	(29)	1
27	774**	# 8	WARREN				733	(21)	2
28	771	# 38	BUTLER	EDMONSON	HANCOCK	OHIO	757	(16)	1
29	744**	# 32	BOYD				556	(38)	2
30	740**	# 14	BOURBON	SCOTT	WOODFORD		667	(28)	1
31	728	# 5	CRITTENDEN	UNION	WEBSTER		595	(36)	1
32	705	# 45	MCLEAN	MUHLENBERG			476	(44)	1
33	698	# 9	HARDIN				566	(37)	2
34	695	# 43	BARREN	METCALFE			622	(33)	1
35	692	# 15	CARROLL	GRANT	OWEN		476	(43)	1
36	691**	# 2	MCCRACKEN				674	(26)	2
37	687**	# 17	CAMPBELL				791	(15)	2
38	666	# 49	ALLEN	SIMPSON			537	(41)	1
39	649	# 56	CALDWELL	LIVINGSTON	LYON	TRIGG	686	(24)	1
40	640	# 16	KENTON				613	(34)	4
41	625	# 40	CLINTON	RUSSELL	WAYNE		674	(27)	1
42	617	# 33	PERRY				677	(25)	1
43	612**	# 20	GREENUP	LEWIS			524	(42)	1
44	575**	# 55	BULLITT				447	(46)	1
45	559	# 1	BALLARD	CARLISLE	FULTON	HICKMAN	459	(45)	1
46	559	# 7	LOGAN	TODD			406	(50)	1
47	552	# 19	BRACKEN	FLEMING	MASON		551	(39)	1
48	527	# 37	CARTER	ELLIOTT	MORGAN		386	(51)	1
49	501	# 29	ADAIR	CASEY	CUMBERLAND	MONROE	417	(49)	1
50	486	# 53	ANDERSON	SHELBY	SPENCER		549	(40)	1
51	447	# 47	LETCHER				361	(54)	1
52	440	# 52	GRAVES				381	(52)	1
53	417	# 23	ESTILL	LEE	OWSLEY		296	(56)	1
54	397	# 18	HARRISON	NICHOLAS	PENDLETON	ROBERTSON	373	(53)	1
55	376	# 36	KNOTT	MAGOFFIN			446	(47)	1
56	259 @@	# 39 @@	BREATHITT @@	POWELL	WOLFE		304	(55)	1

** THESE CIRCUITS UTILIZE SPECIAL "DOMESTIC RELATIONS COMMISSIONERS". THE PARTICULAR JURISDICTIONS AND CASELOADS OF THESE COMMISSIONERS VARY CONSIDERABLY IN DIFFERENT CIRCUITS, AND SOMETIMES IN DIFFERENT COUNTIES WITHIN A SINGLE CIRCUIT.

@@ BECAUSE OF ADMINISTRATIVE PROBLEMS IN THE PREVIOUS BREATHITT CIRCUIT CLERK'S OFFICE, THE RELIABILITY OF THE NUMBER OF CIRCUIT COURT DISPOSITIONS FOR THE 39TH CIRCUIT IS UNDER SCRUTINY, AND MAY BE SOMEWHAT LARGER.

TABLE 7

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

STATEWIDE

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	NO. OF JUDGES	NO. OF TRIAL COMM.
STATEWIDE TOTAL	FILED	26505	180627	287148	57017	30169	26711	38282	646459	114	70
	DISP.	24712	162010	251352	43522	26487	20748	31249	560080		
	%**	93.2%	89.7%	87.5%	76.3%	87.8%	77.7%	81.6%	86.6%		

** RATIO OF DISPOSITIONS TO FILINGS STATED AS A PERCENTAGE.

*** FROM LEFT TO RIGHT, THE CASE CATEGORIES ARE FELONY, MISDEMEANOR, TRAFFIC, CIVIL, SMALL CLAIMS, PROBATE, AND JUVENILE. FELONY, MISDEMEANOR, TRAFFIC, AND JUVENILE CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY OF CASELOAD DATA FOR THESE CASE TYPES.

Table 8 displays the statewide number and percentage increases and decreases in case filings and dispositions for district court, by case type, between fiscal years 1978-79 and 1979-80. Complete breakdowns of increases and decreases in total filings and dispositions by county and district between the two fiscal years appear in Appendix D.

Table 8 shows that the total district court case filings increased from 594,819 in fiscal year 1978-79 to 646,459 in fiscal year 1979-80, an increase of 51,640 cases, or 8.7%. The data also show an increase in case dispositions for the same period from 496,419 to 560,080, an increase of 63,661 cases, or 12.8%. The total statewide case clearance rate increased from 83.5% (496,419/594,819) during the last fiscal year to 86.6% (Table 7) during fiscal year 1979-80. A total of 35 of the 56 districts show a clearance rate of 90% or more. The comparable number of districts for the last fiscal year was only 7 of 56.

These data indicate that, statewide, district courts are increasing dispositions in greater numbers and at a greater rate than the experienced increase in case filings. Although district court filings still exceed dispositions, the gap is narrowing somewhat statewide.

Table 8 also illustrates that the largest numeric (35,408 cases) and percentage (14.1%) increases in district court case filings were in traffic cases. Much of this is believed to be a consequence of the participation of many police officers in the Selective Traffic Enforcement Program (S.T.E.P.), a federally-funded program which pays officers overtime for working extra hours writing citations in particular areas where accidents and other traffic problems frequently occur. For instance, in Jefferson and Fayette Counties, where traffic problems are frequent and S.T.E.P. participation high, there was a combined increase in court traffic filings of 26,940 cases during fiscal year 1979-80, or 76.1% of the total 35,408-case increase.

Table 8 also shows the largest numeric increase in district court dispositions to be in traffic cases as well (31,126 cases, or 14.1%), although not sufficient to match the increase in total traffic filings. Fayette County increased traffic dispositions by 8,380 cases over the previous fiscal year, somewhat less than

TABLE 8

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASES

DISTRICT COURT

STATEWIDE BY CASE TYPE

TYPE OF CASE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
CASE FILINGS****				
FELONY	26505	23496	3009	12.8 %
MISDEMEANOR	180627	174418	6209	3.6 %
TRAFFIC (EXCL. PREPAID)	287148	251740	35408	14.1 %
CIVIL	57017	50323	6694	13.3 %
SMALL CLAIMS	30169	28435	1734	6.1 %
PROBATE	26711	30579	-3868	-12.6 %
JUVENILE	38282	35828	2454	6.8 %
TOTAL FILINGS	646459	594819	51640	8.7 %
CASE DISPOSITIONS****				
FELONY	24712	21149	3563	16.8 %
MISDEMEANOR	162010	152299	9711	6.4 %
TRAFFIC (EXCL. PREPAID)	251352	220226	31126	14.1 %
CIVIL	43522	34183	9339	27.3 %
SMALL CLAIMS	26487	21904	4583	20.9 %
PROBATE	20748	17940	2808	15.7 %
JUVENILE	31249	28718	2531	8.8 %
TOTAL DISPOSITIONS	560080	496419	63661	12.8 %

****DISTRICT COURT FELONY, MISDEMEANOR, TRAFFIC, AND JUVENILE CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY. PREPAYABLE CITATIONS ARE NOT INCLUDED IN TRAFFIC FIGURES. JUVENILE CASES INCLUDE PATERNITY ACTIONS AND ADULT VIOLATIONS OF KRS 530.060-.070, AS WELL AS DELINQUENCY, STATUS, DEPENDENCY, NEEDY, NEGLECT, AND ABUSE CASES.

its 9,056-case increase in filings. The Jefferson County district court disposed of 8,689 more traffic cases during this fiscal year compared to 1978-79. This is less than half of its 17,884-case traffic filings increase.

Although the district courts as a whole appear to be reducing the overall difference between filings and dispositions, in some areas of the Commonwealth and for certain types of cases, the district court backlog appears to be worsening. For sheer volume, it is particularly acute for traffic cases in the urban jurisdictions.

Filings and dispositions for all district court case categories shown in Table 8 increased between fiscal years 1978-79 and 1979-80 with one exception -- probate filings. The 1978 Annual Report of the Court of Justice (pg. 150) noted that the relatively large number of probate filings during calendar year 1978 was an artifact of the transition from the old to the new court system. Specifically, many of the county courts did not transfer their probate case files to the district court until well into 1978. Some circuit clerks assumed these to be new case filings and erroneously assigned them 1978 case numbers. This confounded the 1978 probate case counts by showing more "new" probate filings than actually occurred during that year, which in turn affected similarly that part of the fiscal year 1978-79 data. The decrease shown for district court probate filings in Table 5-A between the two fiscal years is, therefore, at least partially the result of an erroneous inflation of the filings for fiscal year 1978-79.

Tables 9-A and 9-B list the judicial districts in rank order of total case filings- and dispositions-per-judge, respectively. The names of the counties in each district, the comparable per-judge caseload and ranks for the previous fiscal year, and the number of judges presiding in the district are also presented.

District court total case filings-per-judge (Table 7-A) range from 1,926 (18th District) to 9,560 (48th District). The addition of nine new district judgeships, approved by the 1980 General Assembly, will reduce by half the filings-per-judge of the districts ranked 1st, 2nd, 6th, 7th, 8th, 9th, 10th, 12th, and 19th, thereby narrowing the overall variation somewhat. District court dispositions-per-judge (Table 7-B) range from 1,734 (18th District) to 8,005 (22nd District). Most of

TABLE 9-A

FISCAL YEAR 1979-80 RANKED TOTAL DISTRICT COURT CASE FILINGS PER JUDGE

FY 79-80 RANK	FY79-80 FILINGS PER JUDGE	JUDICIAL DISTRICT	COUNTIES				FY78-79 FILINGS PER JUDGE NO.	FY78-79 FILINGS PER JUDGE RANK	NO. OF JUDGES	NO. OF TRIAL COMM.
1	9560	# 48	FRANKLIN				8120	(2)	1	1
2	8963	# 4	HOPKINS				7199	(5)	1	1
3	8793	# 26	HARLAN				8757	(1)	1	2
4	8650	# 22	FAYETTE				6715	(9)	6	0
5	8056	# 30	JEFFERSON				6950	(7)	23	0
6	7917**	# 24	JOHNSON	LAWRENCE	MARTIN		7510**	(4)	1	2
7	7647	# 41	CLAY	JACKSON	LESLIE		6990	(6)	1	2
8	7143	# 34	MCCREARY	WHITLEY			7583	(3)	1	2
9	6867	# 42	CALLOWAY	MARSHALL			6322	(13)	1	1
10	6860	# 10	HART	LARUE	NELSON		6883	(8)	1	2
11	6833	# 31	FLOYD				6061	(17)	1	2
12	6798	# 40	CLINTON	RUSSELL	WAYNE		6484	(12)	1	2
13	6668	# 33	PERRY				5844	(21)	1	1
14	6620	# 36	KNOTT	MAGOFFIN			5882	(20)	1	1
15	6544	# 8	WARREN				6242	(14)	2	0
16	6529	# 39	BREATHITT	POWELL	WOLFE		6674	(10)	1	3
17	6483	# 5	CRITTENDEN	UNION	WEBSTER		5109	(26)	1	3
18	6339	# 15	CARROLL	GRANT	OWEN		6542	(11)	1	2
19	6295*	# 50	BOYLE	MERCER			6207	(16)	1	2
20	6140	# 25	CLARK	MADISON			6226	(15)	3	0
21	6052	# 44	BELL				5647	(23)	1	0
22	5970	# 35	PIKE				5958	(19)	2	3
23	5760	# 54	BOONE	GALLATIN			5026	(28)	2	1
24	5582	# 20	GREENUP	LEWIS			5961	(18)	1	2
25	5319	# 43	BARREN	METCALFE			5817	(22)	1	1
26	5303	# 45	MCLEAN	MUHLENBERG			5035	(27)	1	1
27	5280	# 2	MCCRACKEN				5179	(25)	2	0
28	5131	# 3	CHRISTIAN				4630	(30)	2	0
29	4956	# 37	CARTER	ELLIOTT	MORGAN		4901	(29)	1	2
30	4933	# 14	BOURBON	SCOTT	WOODFORD		5210	(24)	2	2
31	4924	# 27	KNOX	LAUREL			4630	(31)	2	0
32	4450	# 7	LOGAN	TODD			4456	(33)	1	1
33	4433	# 55	BULLITT				4321	(34)	1	0
34	4432	# 21	BATH	MENIFEE	MONTGOMERY	ROWAN	4514	(32)	2	2
35	4388	# 6	DAVIESS				4161	(36)	3	0
36	4363	# 19	BRACKEN	FLEMING	MASON		4299	(35)	1	2
37	4246	# 16	KENTON				4046	(37)	4	0
38	4178	# 47	LETCHER				3823	(40)	1	1
39	4176	# 9	HARDIN				4015	(38)	2	1
40	3899	# 28	PULASKI	ROCKCASTLE			3991	(39)	2	1
41	3887**	# 32	BOYD				3364**	(47)	2	0
42	3767	# 13	GARRARD	JESSAMINE	LINCOLN		3790	(41)	2	1
43	3745	# 23	ESTILL	LEE	OWSLEY		3330	(48)	1	2
44	3737	# 11	GREEN	MARION	TAYLOR	WASHINGTON	3570	(44)	2	3
45	3542	# 17	CAMPBELL				3469	(45)	3	0
46	3519	# 46	BRECKINRIDGE	GRAYSON	MEADE		3575	(43)	2	1
47	3503	# 51	HENDERSON				3770	(42)	2	0
48	3376	# 38	BUTLER	EDMONSON	HANCOCK	OHIO	3298	(49)	2	3
49	3309	# 12	HENRY	OLDHAM	TRIMBLE		2928	(53)	2	1
50	3280	# 49	ALLEN	SIMPSON			3238	(50)	1	1
51	3194	# 29	ADAIR	CASEY	CUMBERLAND	MONROE	3158	(52)	2	2
52	2921	# 52	GRAVES				3387	(46)	1	0
53	2859	# 1	BALLARD	CARLISLE	FULTON	HICKMAN	2618	(55)	2	2
54	2761	# 56	CALDWELL	LIVINGSTON	LYON	TRIGG	2757	(54)	2	2
55	2695*	# 53	ANDERSON	SHELBY	SPENCER		3170	(51)	2	1
56	1926	# 18	HARRISON	NICHOLAS	PENDLETON	ROBERTSON	1859	(56)	2	2

* PART OF THE CASELOAD IN MERCER COUNTY (50TH DISTRICT) IN FY79-80 WAS DISPOSED OF BY A DISTRICT JUDGE ON SEMI-PERMANENT SPECIAL ASSIGNMENT FROM ANDERSON COUNTY (53RD DISTRICT). THEREFORE, THE ACTUAL CASELOAD-PER-JUDGE WOULD BE LESS FOR THE FORMER AND GREATER FOR THE LATTER JUDGESHIPS.

** PART OF THE CASELOAD IN LAWRENCE COUNTY (24TH DISTRICT) IN BOTH FISCAL YEARS WAS DISPOSED OF BY DISTRICT JUDGES ON SEMI-PERMANENT SPECIAL ASSIGNMENT FROM BOYD COUNTY (32ND DISTRICT). THEREFORE, THE ACTUAL CASELOAD-PER-JUDGE WOULD BE LESS FOR THE FORMER AND GREATER FOR THE LATTER JUDGESHIPS.

TABLE 9-B

FISCAL YEAR 1979-80 RANKED TOTAL DISTRICT COURT CASE DISPOSITIONS PER JUDGE

FY 79-80 RANK	FY79-80 DISPOSITIONS PER JUDGE	JUDICIAL DISTRICT	COUNTIES				FY78-79 DISPOSITIONS PER JUDGE NO.	FY78-79 DISPOSITIONS PER JUDGE RANK	NO. OF JUDGES	NO. OF TRIAL COMM.
1	8005	# 22	FAYETTE				6297	(1)	6	0
2	7634	# 4	HOPKINS				5667	(9)	1	1
3	7531	# 31	FLOYD				6031	(5)	1	2
4	7443**	# 24	JOHNSON	LAWRENCE	MARTIN		6040**	(2)	1	2
5	7395	# 41	CLAY	JACKSON	LESLIE		5664	(10)	1	2
6	7389	# 34	MCCREARY	WHITLEY			6033	(4)	1	2
7	6932	# 26	HARLAN				5765	(8)	1	2
8	6777	# 48	FRANKLIN				6034	(3)	1	1
9	6550	# 10	HART	LARUE	NELSON		5989	(6)	1	2
10	6328	# 42	CALLOWAY	MARSHALL			5499	(14)	1	1
11	6267	# 30	JEFFERSON				5535	(12)	23	0
12	6088	# 40	CLINTON	RUSSELL	WAYNE		5788	(7)	1	2
13	5991	# 15	CARROLL	GRANT	OWEN		5616	(11)	1	2
14	5982*	# 50	BOYLE	MERCER			5534	(13)	1	2
15	5931	# 8	WARREN				5325	(16)	2	0
16	5464	# 25	CLARK	MADISON			5489	(15)	3	0
17	5286	# 33	PERRY				4390	(24)	1	1
18	5270	# 39	BREATHITT	POWELL	WOLFE		4714	(19)	1	3
19	5253	# 54	BOONE	GALLATIN			4433	(23)	2	1
20	5249	# 20	GREENUP	LEWIS			4704	(20)	1	2
21	5212	# 44	BELL				5071	(18)	1	0
22	5211	# 5	CRITTENDEN	UNION	WEBSTER		4176	(28)	1	3
23	5067	# 43	BARREN	METCALFE			5268	(17)	1	1
24	4956	# 3	CHRISTIAN				4205	(27)	2	0
25	4900	# 2	MCCRACKEN				4460	(22)	2	0
26	4599	# 45	MCLEAN	MUHLENBERG			4219	(26)	1	1
27	4587	# 36	KNOTT	MAGOFFIN			4512	(21)	1	1
28	4557	# 37	CARTER	ELLIOTT	MORGAN		3848	(31)	1	2
29	4486	# 55	BULLITT				3814	(32)	1	0
30	4458	# 14	BOURBON	SCOTT	WOODFORD		4229	(25)	2	2
31	4421	# 27	KNOX	LAUREL			3599	(38)	2	0
32	4325	# 6	DAVIESS				3873	(30)	3	0
33	4276	# 35	PIKE				3715	(34)	2	3
34	4173	# 7	LOGAN	TODD			3764	(33)	1	1
35	4042	# 21	BATH	MENIFEE	MONTGOMERY	ROWAN	4038	(29)	2	2
36	3992	# 19	BRACKEN	FLEMING	MASON		3669	(35)	1	2
37	3969	# 47	LETCHER				3658	(36)	1	1
38	3966	# 9	HARDIN				3438	(40)	2	1
39	3717	# 28	PULASKI	ROCKCASTLE			3612	(37)	2	1
40	3710	# 16	KENTON				3448	(39)	4	0
41	3450	# 46	BRECKINRIDGE	GRAYSON	MEADE		3081	(44)	2	1
42	3444**	# 32	BOYD				2792**	(47)	2	0
43	3430	# 13	GARRARD	JESSAMINE	LINCOLN		3349	(41)	2	1
44	3394	# 11	GREEN	MARION	TAYLOR	WASHINGTON	3156	(43)	2	3
45	3278	# 17	CAMPBELL				2993	(45)	3	0
46	3099	# 12	HENRY	OLDHAM	TRIMBLE		2474	(53)	2	1
47	3002	# 23	ESTILL	LEE	OWSLEY		2688	(50)	1	2
48	2986	# 51	HENDERSON				3222	(42)	2	0
49	2966	# 49	ALLEN	SIMPSON			2901	(46)	1	1
50	2930	# 38	BUTLER	EDMONSON	HANCOCK	OHIO	2607	(52)	2	3
51	2791	# 29	ADAIR	CASEY	CUMBERLAND	MONROE	2737	(49)	2	2
52	2735	# 52	GRAVES				2676	(51)	1	0
53	2541	# 56	CALDWELL	LIVINGSTON	LYON	TRIGG	2351	(54)	2	2
54	2516	# 1	BALLARD	CARLISLE	FULTON	HICKMAN	2115	(55)	2	2
55	2488*	# 53	ANDERSON	SHELBY	SPENCER		2781	(48)	2	1
56	1734	# 18	HARRISON	NICHOLAS	PENDLETON	ROBERTSON	1636	(56)	2	2

* PART OF THE CASELOAD IN MERCER COUNTY (50TH DISTRICT) IN FY79-80 WAS DISPOSED OF BY A DISTRICT JUDGE ON SEMI-PERMANENT SPECIAL ASSIGNMENT FROM ANDERSON COUNTY (53RD DISTRICT). THEREFORE, THE ACTUAL CASELOAD-PER-JUDGE WOULD BE LESS FOR THE FORMER AND GREATER FOR THE LATTER JUDGESHIPS.

** PART OF THE CASELOAD IN LAWRENCE COUNTY (24TH DISTRICT) IN BOTH FISCAL YEARS WAS DISPOSED OF BY DISTRICT JUDGES ON SEMI-PERMANENT SPECIAL ASSIGNMENT FROM BOYD COUNTY (32ND DISTRICT). THEREFORE, THE ACTUAL CASELOAD-PER-JUDGE WOULD BE LESS FOR THE FORMER AND GREATER FOR THE LATTER JUDGESHIPS.

the districts at the lower end of this ranking have relatively low filings-per-judge as well.

C. Caseload Projections

Every two years, yearly case filings data dating from 1972 through the most current year are "projected" to obtain forecasts of what case filings will be two to three years hence. Table 10 shows comparisons of the statewide total fiscal year 1979-80 case filing projections with the actually reported case filings for the same period. These data are broken down into the statewide totals for each circuit and district court case type, and include numeric and percentage differences for evaluation of the accuracy of the projections. A brief outline of the projection method, along with comparisons of projected as related to reported total case filings by county and circuit or district, appear in Appendix E.

When forecasting future case filings was first begun in Kentucky in 1976, it was established that a projected caseload figure which was within 10% of that actually reported would be considered a "good" estimate, and within 15% would be considered "acceptable". These two standards may require reevaluation at some later date, when it becomes feasible to utilize only data reported since 1978 to forecast future filings. However, as long as forecasting must depend upon the less reliable caseload data collected prior to the beginning of the new court system (as they required in 1979 when these projections were done), these standards remain applicable.

1. The Circuit Court Caseload Projections

Statewide for the circuit court, Table 10 shows a total forecast of 76,277 cases during fiscal year 1979-80. The actual total case filings reported for the same year period was 80,773, which indicates that the total circuit court caseload projection was low by 4,496 cases, or -5.6% (4,496/80,773).

By case type, Table 10 shows that five circuit court categories were overestimated and five underestimated on a statewide basis. In this latter group

TABLE 10

COMPARISON OF PROJECTED VS. REPORTED CASELOADS FOR FISCAL YEAR 1979-80

STATEWIDE BY CASE TYPE

TYPE OF CASE	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE
CIRCUIT COURT***				
CRIMINAL	10866	11162	-296	-2.7 %
CRIM. DISTRICT COURT APPEAL	568	397	171	43.1 %
DOMESTIC RELATIONS	33278	34999	-1721	-4.9 %
CIVIL SUIT	18699	20479	-1780	-8.7 %
PROBATE	226	63	163	258.7 %
WORKMENS COMPENSATION	823	707	116	16.4 %
CIVIL DISTRICT COURT APPEAL	427	403	24	6.0 %
ADOPTION/TERMINATION	2404	2428	-24	-1.0 %
MENTAL COMMIT./COMPETENCY	2468	2367	101	4.3 %
OTHER CIVIL	6518	7768	-1250	-16.1 %
TOTAL CIRCUIT COURT	76277	80773	-4496	-5.6 %
DISTRICT COURT****				
FELONY	23440	26505	-3065	-11.6 %
MISDEMEANOR	176958	180627	-3669	-2.0 %
TRAFFIC (EXCL. PREPAID)	252171	287148	-34977	-12.2 %
CIVIL	52126	57017	-4891	-8.6 %
SMALL CLAIMS	28608	30169	-1561	-5.2 %
PROBATE	28195	26711	1484	5.6 %
JUVENILE	37651	38282	-631	-1.6 %
TOTAL DISTRICT COURT	599149	646459	-47310	-7.3 %

** PROJECTED CASE FILINGS ARE PRIMARILY LINEAR PROJECTIONS BASED ON CORRECTED CASE FILINGS DATA FOR CALENDAR YEARS DATING BACK THROUGH 1972. FISCAL YEAR PROJECTIONS WERE OBTAINED BY ADDING TOGETHER ONE-HALF OF THE PROJECTED CASELOAD FOR EACH APPLICABLE CALENDAR YEAR.

*** CIRCUIT COURT CRIMINAL CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY. DOMESTIC RELATIONS CASES INCLUDE SEPARATIONS, ANNULMENTS, AND CERTAIN POST-DIVORCE HEARINGS, AS WELL AS ORIGINAL DIVORCE PROCEEDINGS. "OTHER CIVIL" CASES INCLUDE APPEALS FROM ADMINISTRATIVE (ZONING, TAX, ETC.) BOARDS, UNIFORM RECIPROCAL SUPPORT ACT CASES, COMMONWEALTH-INITIATED FISCAL SUITS, CASES INVOLVING ONLY INJUNCTIVE RELIEF, AND OTHER CASES NOT SPECIFICALLY CATEGORIZED.

****DISTRICT COURT FELONY, MISDEMEANOR, TRAFFIC, AND JUVENILE CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY. PREPAYABLE CITATIONS ARE NOT INCLUDED IN TRAFFIC FIGURES. JUVENILE CASES INCLUDE PATERNITY ACTIONS AND ADULT VIOLATIONS OF KRS 530.060-.070, AS WELL AS DELINQUENCY, STATUS, DEPENDENCY, NEEDY, NEGLECT, AND ABUSE CASES.

are the five most frequent case types, accounting for 95.1% (76,836/80,773) of the total reported case filings: domestic relations, civil suits, criminal, "other" civil, and adoptions/terminations. Overestimates in the five lower-volume categories total only 575 cases, as compared to the 5,071-case total underestimate for the five higher-volume case types.

Examination of the differences between projected and reported total case filings by county in Appendix E, the projected totals were low in 76 of 120 counties, and high in the remaining 44 counties. Projected figures were within 1%, high or low, of the actual case filings in 9 counties (Allen, Boone, Floyd, Jefferson, Knox, Livingston, McLean, Meade, and Scott), and including those nine, within 5% in a total of 35 counties. Projections reached the 10% "good" criterion in 62 (51.7%) of the counties, and the 15% "acceptable" standard in 81 (67.5%) of the 120 counties.

By circuit from Appendix E, the total projections were lower than the reported case filings in 39 circuits and higher in the other 17 circuits. Caseload forecasts were within 1%, high or low, in 6 circuits (14th, 19th, 28th, 30th, 31st, and 40th). A total of 22 circuit total projections were within 5% of the number of filings actually reported. Achieving the 10% "good" standard were projected filing figures in 37 (66.1%) of the 56 circuits, and projections in 45 (80.4%) of the circuits attained the 15% "acceptable" degree of accuracy.

2. The District Court Caseload Projections

Statewide for the district court, Table 10 shows that a total caseload of 599,149 was forecasted for fiscal year 1979-80. The actual total cases reported for the year was 646,459. Overall, the total district court caseload projection was low by 47,310 cases, or -7.3% (47,310/646,459).

By case type, only probate cases were over-estimated, by 1,484 cases, or 5.6%. Projections for the six remaining case types were low when compared to the number of cases actually reported. Percentage differences for those case types ranged from -1.6% for juvenile cases to -12.2% for traffic cases. At least part of the reason for the nearly 35,000-case discrepancy between projected and

actual traffic cases was the inability in mid-1979 to predict the magnitude of S.T.E.P. participation by police officers and its effects on traffic caseload, particularly in Jefferson and Fayette Counties.

Examining the differences in Appendix E between projected and reported total case filings for each county, the projected total figures were low in 62 and high in the remaining 58 counties. The projection was within 1%, high or low, of the actual case filings in 6 counties (Anderson, Bell, Casey, Daviess, Lincoln, Warren). Including these six, projections were within 5% of reported filings in 38 counties, and within the 10% "good" standard in 63 (52.5%) of the 120 counties. Projected figures in 80 (66.7%) of the counties met the 15% standard for "acceptable". Two of the counties not meeting this criteria were Jefferson (-15.3%) and Fayette (-33.7%), where traffic cases were particularly underestimated, as noted earlier.

Concerning the differences between projected and reported filings for each district total in Appendix E, the projections were low in 25 and high in 31 districts. The projected filings were within 1%, high or low, of the actual filings in 6 districts (6th, 8th, 11th, 44th, 46th, 49th), and within 5% in 22 districts. Caseload projections in 37 (66.1%) of the 56 districts met the 10% "good" criterion, and data in 48 (85.7%) of the districts achieved the 15% "acceptable" mark. Again, 2 of the 8 jurisdictions not meeting this standard were the 22nd (Fayette) and 30th (Jefferson) Districts.

While total statewide circuit and district court projected case filings were well within the 10% "good" accuracy standard (-5.6% and -7.3%, respectively), there is still room for some improvement. When resources permit, the projection methodology will be enhanced by including into the formulas the effects of factors external to the courts. Examples of such factors would be numbers of practicing attorneys and police officers, miles of limited-access highway, presence of a correctional or mental institution, national and state park visitation, college enrollments, economic factors, and other circumstances in which a given court finds itself and which may affect the case filings within the jurisdiction of that court. Such a development could be expected to increase the

number of individual counties and circuits/districts for which projections fall within the "good" and "acceptable" criteria of accuracy.

D. Circuit Clerk Statistics

The 1978 Annual Report of the Court of Justice contained a table showing workload data of the circuit clerks for each county. These figures included the total numbers of circuit and district cases, driver and boat licenses issued, and appeals submitted to the Court of Appeals. Non-caseload data represented additional measurable circuit clerk tasks exclusive of case-related matters.

With this first year changeover from calendar to fiscal year reporting, much of the data from outside sources was not available in this new form. Future annual reports will contain data such as licensing data from the Department of Transportation, numbers of prepaid citations, FTA-notices sent to the Department of Transportation, and executions on civil judgments.

APPENDIX

APPENDIX A

Fiscal Year 1979-80

Circuit Court

Filings and Dispositions
For Counties and Circuits
By Case Type

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
1 / BALLARD	FILED	30	0	90	39	1	1	0	7	2	1	171		
	DISP.	13	0	73	30	2	3	0	4	2	4	131	76.6%	
CARLISLE	FILED	11	0	30	19	0	0	1	5	0	3	69		
	DISP.	5	0	26	13	0	1	0	5	0	4	54	78.3%	
FULTON	FILED	16	1	104	40	0	1	0	10	15	27	214		
	DISP.	14	0	58	20	0	2	0	8	7	10	119	55.6%	
HICKMAN	FILED	18	0	75	34	1	0	0	3	0	13	144		
	DISP.	22	0	131	73	2	0	3	2	1	21	255	177.1%	
CIRCUIT TOTAL	FILED	75	1	299	132	2	2	1	25	17	44	598		
	DISP.	54	0	288	136	4	6	3	19	10	39	559	93.5%	1
2*/ MCCRACKEN	FILED	213	10	649	367	2	11	12	39	3	131	1437		
	DISP.	207	11	626	360	0	16	14	33	1	114	1382	96.2%	2
3*/ CHRISTIAN	FILED	245	3	631	286	2	3	7	52	132	27	1388		
	DISP.	179	15	662	295	1	4	8	61	104	25	1354	97.6%	1
4*/ HOPKINS	FILED	79	1	531	337	0	28	2	31	31	15	1055		
	DISP.	42	0	466	326	0	25	3	22	31	7	922	87.4%	1
5 / CRITTENDEN	FILED	15	0	78	39	0	0	0	2	0	24	158		
	DISP.	10	0	70	38	0	0	0	5	0	12	135	85.4%	
UNION	FILED	49	0	118	87	0	16	1	9	1	8	289		
	DISP.	45	0	102	60	1	15	0	12	1	6	242	83.7%	
WEBSTER	FILED	33	1	147	110	0	7	1	7	2	3	311		
	DISP.	23	1	166	138	0	5	0	7	4	7	351	112.9%	
CIRCUIT TOTAL	FILED	97	1	343	236	0	23	2	18	3	35	758		
	DISP.	78	1	338	236	1	20	0	24	5	25	728	96.0%	1
6*/ DAVIESS	FILED	246	0	1275	412	0	20	19	75	47	84	2178		
	DISP.	265	0	967	317	0	20	11	74	44	73	1771	81.3%	2
7 / LOGAN	FILED	84	0	266	123	0	7	5	23	7	16	531		
	DISP.	57	0	185	64	1	4	3	13	7	7	341	64.2%	
TODD	FILED	58	0	104	70	0	0	0	4	0	4	240		
	DISP.	59	0	91	58	1	1	0	4	0	4	218	90.8%	
CIRCUIT TOTAL	FILED	142	0	370	193	0	7	5	27	7	20	771		
	DISP.	116	0	276	122	2	5	3	17	7	11	559	72.5%	1
8*/ WARREN	FILED	667	2	567	412	2	20	11	56	11	159	1907		
	DISP.	596	0	456	267	0	18	5	41	5	160	1548	81.2%	2
9 / HARDIN	FILED	138	7	1021	409	5	3	7	74	19	98	1781		
	DISP.	136	5	848	261	3	5	5	68	17	49	1397	78.4%	2

(CONTINUED)

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
10*/ HART	FILED	66	4	109	108	0	0	2	8	4	6	307		
	DISP.	30	1	90	74	1	0	1	6	4	11	218	71.0%	
LARUE	FILED	29	0	60	69	0	1	0	3	0	14	176		
	DISP.	24	0	90	48	1	0	0	4	0	10	177	100.6%	
NELSON	FILED	75	1	162	126	0	0	28	9	2	44	447		
	DISP.	76	1	155	103	0	0	5	8	1	36	385	86.1%	
CIRCUIT TOTAL	FILED	170	5	331	303	0	1	30	20	6	64	930		
	DISP.	130	2	335	225	2	0	6	18	5	57	780	83.9%	1
11 / GREEN	FILED	27	0	125	39	0	2	1	1	3	5	203		
	DISP.	16	0	116	28	0	0	0	1	3	16	180	88.7%	
MARION	FILED	9	0	137	31	0	0	1	8	0	66	252		
	DISP.	15	0	117	23	0	0	1	4	0	40	200	79.4%	
TAYLOR	FILED	71	1	261	92	0	0	1	4	9	10	449		
	DISP.	41	0	226	102	1	0	0	3	3	11	387	86.2%	
WASHINGTON	FILED	7	0	64	27	0	0	1	6	1	6	112		
	DISP.	3	0	60	31	0	0	1	7	2	3	107	95.5%	
CIRCUIT TOTAL	FILED	114	1	587	189	0	2	4	19	13	87	1016		
	DISP.	75	0	519	184	1	0	2	15	8	70	874	86.0%	1
12*/ HENRY	FILED	25	2	98	59	3	1	1	6	0	5	200		
	DISP.	28	1	105	54	2	1	0	4	0	3	198	99.0%	
OLDHAM	FILED	256	0	185	130	0	1	1	15	10	51	649		
	DISP.	141	0	177	139	0	2	0	19	8	55	541	83.4%	
TRIMBLE	FILED	3	1	36	28	0	0	0	3	1	8	80		
	DISP.	2	1	48	25	0	0	0	4	1	5	86	107.5%	
CIRCUIT TOTAL	FILED	284	3	319	217	3	2	2	24	11	64	929		
	DISP.	171	2	330	218	2	3	0	27	9	63	825	88.8%	1
13*/ GARRARD	FILED	34	0	66	32	0	0	1	4	4	7	148		
	DISP.	34	0	54	24	0	0	0	4	2	6	124	83.8%	
JESSAMINE	FILED	58	6	232	116	0	2	4	15	4	69	506		
	DISP.	49	1	197	173	4	1	2	15	0	53	495	97.8%	
LINCOLN	FILED	49	6	133	96	0	0	1	7	3	10	305		
	DISP.	40	2	105	44	0	0	0	5	4	7	207	67.9%	
CIRCUIT TOTAL	FILED	141	12	431	244	0	2	6	26	11	86	959		
	DISP.	123	3	356	241	4	1	2	24	6	66	826	86.1%	1
14*/ BOURBON	FILED	55	1	145	85	0	2	3	7	0	3	301		
	DISP.	45	2	83	61	0	2	7	8	1	5	214	71.1%	
SCOTT	FILED	58	2	184	90	0	2	1	14	1	10	362		
	DISP.	59	1	128	55	1	2	0	9	0	7	262	72.4%	
WOODFORD	FILED	37	0	205	64	0	4	0	12	2	12	336		
	DISP.	26	0	175	41	0	4	0	9	2	7	264	78.6%	
CIRCUIT TOTAL	FILED	150	3	534	239	0	8	4	33	3	25	999		
	DISP.	130	3	386	157	1	8	7	26	3	19	740	74.1%	1

(CONTINUED)

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
15 / CARROLL	FILED	52	1	145	63	0	5	0	12	2	8	288		
	DISP.	42	41	156	90	4	4	2	9	2	8	358	124.3%	
GRANT	FILED	23	0	132	84	0	0	1	5	1	11	257		
	DISP.	20	0	89	51	0	0	0	2	1	6	169	65.8%	
OWEN	FILED	9	0	62	11	0	0	3	2	6	30	123		
	DISP.	16	1	56	22	0	0	1	1	5	63	165	134.1%	
CIRCUIT TOTAL	FILED	84	1	339	158	0	5	4	19	9	49	668		
	DISP.	78	42	301	163	4	4	3	12	8	77	692	103.6%	1
16 / KENTON	FILED	323	64	1358	531	0	4	23	139	101	422	2965		
	DISP.	328	52	1222	373	0	9	19	117	96	345	2561	86.4%	4
17*/ CAMPBELL	FILED	213	78	771	370	0	12	6	76	50	56	1632		
	DISP.	189	105	658	277	0	9	8	62	36	30	1374	84.2%	2
18 / HARRISON	FILED	17	0	156	39	0	0	0	9	3	32	256		
	DISP.	12	1	134	26	0	0	0	7	5	16	201	78.5%	
NICHOLAS	FILED	9	2	58	6	0	0	0	1	0	24	100		
	DISP.	8	1	38	2	0	0	0	0	0	6	55	55.0%	
PENDLETON	FILED	20	0	94	35	1	0	1	5	1	1	158		
	DISP.	8	0	78	23	1	0	0	3	0	1	114	72.2%	
ROBERTSON	FILED	2	0	13	4	1	0	0	2	0	4	26		
	DISP.	5	0	11	8	0	0	0	0	0	3	27	103.8%	
CIRCUIT TOTAL	FILED	48	2	321	84	2	0	1	17	4	61	540		
	DISP.	33	2	261	59	1	0	0	10	5	26	397	73.5%	1
19 / BRACKEN	FILED	21	1	74	18	1	0	0	1	1	3	120		
	DISP.	18	1	64	13	2	1	0	1	1	3	104	86.7%	
FLEMING	FILED	27	0	67	24	2	0	0	5	1	24	150		
	DISP.	17	0	66	22	0	0	0	4	1	26	136	90.7%	
MASON	FILED	36	2	158	100	0	7	1	14	2	12	332		
	DISP.	35	0	161	89	0	4	1	14	1	7	312	94.0%	
CIRCUIT TOTAL	FILED	84	3	299	142	3	7	1	20	4	39	602		
	DISP.	70	1	291	124	2	5	1	19	3	36	552	91.7%	1
20*/ GREENUP	FILED	137	0	319	220	0	5	7	17	7	25	737		
	DISP.	96	0	200	101	0	2	0	11	4	8	422	57.3%	
LEWIS	FILED	40	0	116	58	0	0	0	5	3	5	227		
	DISP.	34	0	109	35	0	1	0	6	3	2	190	83.7%	
CIRCUIT TOTAL	FILED	177	0	435	278	0	5	7	22	10	30	964		
	DISP.	130	0	309	136	0	3	0	17	7	10	612	63.5%	1

(CONTINUED)

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
21 / BATH	FILED	33	2	73	10	2	1	3	5	2	22	153		
	DISP.	28	0	57	15	0	0	0	2	0	17	119	77.8%	
MENIFEE	FILED	26	0	38	27	0	0	0	1	1	1	94		
	DISP.	22	0	42	15	0	0	0	1	1	6	87	92.6%	
MONTGOMERY	FILED	54	0	234	85	0	0	2	17	3	11	406		
	DISP.	74	0	183	52	0	0	2	17	2	5	335	82.5%	
ROWAN	FILED	51	1	207	91	2	1	1	9	3	21	387		
	DISP.	41	0	182	61	2	1	1	7	2	21	318	82.2%	
CIRCUIT TOTAL	FILED	164	3	552	213	4	2	6	32	9	55	1040		
	DISP.	165	0	464	143	2	1	3	27	5	49	859	82.6%	1
22 / FAYETTE	FILED	793	40	3031	1365	11	12	18	172	126	200	5768		
	DISP.	747	32	2691	1021	7	8	9	160	116	168	4959	86.0%	6
23 / ESTILL	FILED	57	0	136	46	0	0	1	4	2	4	250		
	DISP.	13	0	76	45	0	0	0	2	1	5	142	56.8%	
LEE	FILED	25	16	69	59	0	0	1	3	1	17	191		
	DISP.	18	15	43	47	0	1	0	7	0	16	147	77.0%	
OWSLEY	FILED	32	1	58	49	0	1	2	1	0	6	150		
	DISP.	27	6	55	32	0	0	4	2	0	2	128	85.3%	
CIRCUIT TOTAL	FILED	114	17	263	154	0	1	4	8	3	27	591		
	DISP.	58	21	174	124	0	1	4	11	1	23	417	70.6%	1
24*/ JOHNSON	FILED	78	2	231	218	0	5	0	20	18	22	594		
	DISP.	32	1	169	92	0	6	0	13	10	14	337	56.7%	
LAWRENCE	FILED	36	1	107	109	0	7	0	4	0	33	297		
	DISP.	31	0	87	92	0	7	0	5	0	19	241	81.1%	
MARTIN	FILED	19	0	125	128	0	25	1	15	9	36	358		
	DISP.	27	0	119	116	0	24	1	12	9	25	333	93.0%	
CIRCUIT TOTAL	FILED	133	3	463	455	0	37	1	39	27	91	1249		
	DISP.	90	1	375	300	0	37	1	30	19	58	911	72.9%	1
25*/ CLARK	FILED	87	0	295	155	0	6	6	21	6	4	580		
	DISP.	72	1	274	97	2	5	5	20	4	2	482	83.1%	
MADISON	FILED	156	1	458	195	0	4	4	18	4	86	926		
	DISP.	114	0	390	177	0	7	4	22	4	76	794	85.7%	
CIRCUIT TOTAL	FILED	243	1	753	350	0	10	10	39	10	90	1506		
	DISP.	186	1	664	274	2	12	9	42	8	78	1276	84.7%	1
26 / HARLAN	FILED	131	1	526	179	4	19	3	34	36	22	955		
	DISP.	161	1	443	163	7	24	2	25	35	39	900	94.2%	1

(CONTINUED)

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
27*/ KNOX	FILED	66	0	264	206	0	6	1	14	0	55	612		
	DISP.	44	0	185	97	0	7	0	9	0	35	377	61.6%	
LAUREL	FILED	118	0	319	289	2	6	1	17	2	34	788		
	DISP.	120	0	230	186	1	5	0	18	1	19	580	73.6%	
CIRCUIT TOTAL	FILED	184	0	583	495	2	12	2	31	2	89	1400		
	DISP.	164	0	415	283	1	12	0	27	1	54	957	68.4%	1
28 / PULASKI	FILED	91	3	350	239	4	4	5	27	7	40	770		
	DISP.	84	1	298	175	2	2	5	28	5	21	621	80.6%	
ROCKCASTLE	FILED	59	0	139	52	0	0	0	4	2	33	289		
	DISP.	41	0	107	33	0	1	0	5	1	20	208	72.0%	
CIRCUIT TOTAL	FILED	150	3	489	291	4	4	5	31	9	73	1059		
	DISP.	125	1	405	208	2	3	5	33	6	41	829	78.3%	1
29 / ADAIR	FILED	41	1	115	36	0	0	0	5	1	10	209		
	DISP.	53	2	80	33	0	0	0	2	1	5	176	84.2%	
CASEY	FILED	40	0	114	95	0	1	0	6	1	5	262		
	DISP.	11	0	67	62	0	1	0	3	1	3	148	56.5%	
CUMBERLAND	FILED	41	0	58	45	0	0	0	0	0	6	150		
	DISP.	32	0	38	26	0	0	0	1	0	2	99	66.0%	
MONROE	FILED	44	0	73	38	1	1	0	3	0	8	168		
	DISP.	21	0	37	17	0	0	0	2	0	1	78	46.4%	
CIRCUIT TOTAL	FILED	166	1	360	214	1	2	0	14	2	29	789		
	DISP.	117	2	222	138	0	1	0	8	2	11	501	63.5%	1
30*/ JEFFERSON	FILED	1746	28	5906	4422	3	128	105	527	1334	2205	16404		
	DISP.	1660	25	7822	6236	11	147	92	517	1322	2003	19835	120.9%	16
31 / FLOYD	FILED	159	7	403	313	0	21	3	20	26	69	1021		
	DISP.	115	2	348	263	0	28	3	17	14	66	856	83.8%	1
32*/ BOYD	FILED	183	14	830	450	0	11	0	44	13	183	1728		
	DISP.	182	13	753	359	0	11	1	40	14	116	1489	86.2%	2
33 / PERRY	FILED	110	0	336	241	1	10	1	32	5	28	764		
	DISP.	39	0	337	160	0	17	0	33	5	26	617	80.8%	1

(CONTINUED)

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
34 / MCCREARY	FILED	114	0	177	44	0	1	0	15	0	50	401		
	DISP.	69	0	266	46	0	0	0	5	0	77	463	115.5%	
WHITLEY	FILED	125	0	367	204	2	12	0	29	5	82	826		
	DISP.	41	0	431	320	3	8	0	21	2	76	902	109.2%	
CIRCUIT TOTAL	FILED	239	0	544	248	2	13	0	44	5	132	1227		
	DISP.	110	0	697	366	3	8	0	26	2	153	1365	111.2%	1
35*/ PIKE	FILED	272	4	915	637	0	79	3	55	23	93	2081		
	DISP.	193	0	678	463	0	57	4	126	16	84	1631	78.4%	2
36 / KNOTT	FILED	45	0	132	116	1	12	0	4	1	6	317		
	DISP.	14	0	73	45	0	13	0	2	0	2	149	47.0%	
MAGOFFIN	FILED	45	0	135	124	0	4	3	12	13	56	392		
	DISP.	25	1	84	68	0	2	1	11	6	29	227	57.9%	
CIRCUIT TOTAL	FILED	90	0	267	240	1	16	3	16	14	62	709		
	DISP.	39	1	157	113	0	15	1	13	6	31	376	53.0%	1
37 / CARTER	FILED	91	2	159	114	0	2	3	5	1	6	383		
	DISP.	66	2	107	95	0	1	0	6	0	7	284	74.2%	
ELLIOTT	FILED	13	0	51	53	0	3	1	2	1	7	131		
	DISP.	3	0	61	21	0	0	0	1	1	5	92	70.2%	
MORGAN	FILED	20	0	62	45	0	3	0	5	1	60	196		
	DISP.	21	0	63	30	0	2	0	6	1	28	151	77.0%	
CIRCUIT TOTAL	FILED	124	2	272	212	0	8	4	12	3	73	710		
	DISP.	90	2	231	146	0	3	0	13	2	40	527	74.2%	1
38 / BUTLER	FILED	44	0	102	82	0	6	1	2	4	18	259		
	DISP.	19	0	99	79	0	4	0	5	4	20	230	88.8%	
EDMONSON	FILED	23	1	72	64	0	1	0	3	1	16	181		
	DISP.	11	1	60	43	0	0	0	6	1	10	132	72.9%	
HANCOCK	FILED	22	0	46	36	0	2	0	1	1	4	112		
	DISP.	3	0	39	17	0	1	0	3	0	2	65	58.0%	
OHIO	FILED	62	0	184	183	0	14	0	11	3	31	488		
	DISP.	18	0	150	128	0	9	0	8	3	28	344	70.5%	
CIRCUIT TOTAL	FILED	151	1	404	365	0	23	1	17	9	69	1040		
	DISP.	51	1	348	267	0	14	0	22	8	60	771	74.1%	1
39 / BREATHITT @@	FILED	42	1	109	183	2	2	0	6	5	8	358		
	DISP.	4 @@	0 @@	13 @@	8 @@	0 @@	1 @@	0 @@	1 @@	0 @@	2 @@	29	@@ 8.1%	
POWELL	FILED	20	0	105	27	0	0	1	4	0	37	194		
	DISP.	8	0	77	28	0	0	1	3	0	30	147	75.8%	
WOLFE	FILED	19	0	40	41	0	0	0	0	0	4	104		
	DISP.	13	0	32	35	0	0	0	1	0	2	83	79.8%	
CIRCUIT TOTAL	FILED	81	1	254	251	2	2	1	10	5	49	656		
	DISP.	25	0	122	71	0	1	1	5	0	34	259	39.5%	1

(CONTINUED)

@@ BECAUSE OF ADMINISTRATIVE PROBLEMS IN THE PREVIOUS BREATHITT COUNTY CIRCUIT CLERK'S OFFICE, THE RELIABILITY OF THE NUMBER OF CIRCUIT COURT DISPOSITIONS IS UNDER SCRUTINY, AND MAY BE SOMEWHAT LARGER.

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
40 / CLINTON	FILED	13	0	86	43	0	0	0	2	2	30	176		
	DISP.	16	0	73	35	0	0	0	2	2	12	140	79.5%	
RUSSELL	FILED	45	0	112	48	1	0	0	9	3	13	231		
	DISP.	31	2	88	51	0	1	0	7	2	10	192	83.1%	
WAYNE	FILED	46	4	129	111	0	1	1	5	1	23	321		
	DISP.	45	0	132	85	0	2	0	2	1	26	293	91.3%	
CIRCUIT TOTAL	FILED	104	4	327	202	1	1	1	16	6	66	728		
	DISP.	92	2	293	171	0	3	0	11	5	48	625	85.9%	1
41 / CLAY	FILED	132	1	238	219	0	5	1	8	13	3	620		
	DISP.	118	0	193	163	0	12	0	6	14	17	523	84.4%	
JACKSON	FILED	40	0	84	23	0	0	0	6	2	14	169		
	DISP.	26	0	44	9	0	0	0	2	2	3	86	50.9%	
LESLIE	FILED	67	0	136	101	0	6	0	7	0	8	325		
	DISP.	45	0	75	56	2	2	0	5	0	5	190	58.5%	
CIRCUIT TOTAL	FILED	239	1	458	343	0	11	1	21	15	25	1114		
	DISP.	189	0	312	228	2	14	0	13	16	25	799	71.7%	1
42 / CALLOWAY	FILED	92	0	234	178	0	5	0	21	18	35	583		
	DISP.	99	0	248	157	0	4	2	19	16	33	578	99.1%	
MARSHALL	FILED	53	0	204	165	0	10	1	13	16	30	492		
	DISP.	54	0	212	122	0	9	2	11	15	30	455	92.5%	
CIRCUIT TOTAL	FILED	145	0	438	343	0	15	1	34	34	65	1075		
	DISP.	153	0	460	279	0	13	4	30	31	63	1033	96.1%	1
43 / BARREN	FILED	126	4	296	185	0	3	6	22	39	46	727		
	DISP.	122	0	224	132	0	1	6	24	35	27	571	78.5%	
METCALFE	FILED	27	1	89	94	0	0	0	10	2	3	226		
	DISP.	16	0	56	42	0	0	0	5	2	3	124	54.9%	
CIRCUIT TOTAL	FILED	153	5	385	279	0	3	6	32	41	49	953		
	DISP.	138	0	280	174	0	1	6	29	37	30	695	72.9%	1
44 / BELL	FILED	172	0	271	211	3	10	0	14	5	3	689		
	DISP.	143	0	692	501	5	15	10	15	6	58	1445	209.7%	1
45 / MCLEAN	FILED	24	0	79	51	0	0	1	9	1	6	171		
	DISP.	7	0	64	20	0	0	0	4	1	1	97	56.7%	
MUHLENBERG	FILED	86	5	328	172	0	16	3	23	17	38	688		
	DISP.	62	2	332	137	0	15	3	17	17	23	608	88.4%	
CIRCUIT TOTAL	FILED	110	5	407	223	0	16	4	32	18	44	859		
	DISP.	69	2	396	157	0	15	3	21	18	24	705	82.1%	1

(CONTINUED)

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
46 / BRECKINRIDGE	FILED	43	0	134	42	0	1	1	8	0	4	233		
	DISP.	41	0	152	53	0	2	1	8	0	4	261	112.0%	
GRAYSON	FILED	50	9	158	98	0	4	4	10	2	25	360		
	DISP.	50	9	190	91	0	3	1	6	2	16	368	102.2%	
MEADE	FILED	41	3	107	74	1	1	1	6	0	7	241		
	DISP.	41	0	120	108	2	2	0	11	0	2	286	118.7%	
CIRCUIT TOTAL	FILED	134	12	399	214	1	6	6	24	2	36	834		
	DISP.	132	9	462	252	2	7	2	25	2	22	915	109.7%	1
47 / LETCHER	FILED	115	0	277	134	0	24	2	17	29	85	683		
	DISP.	123	0	172	41	0	13	2	13	23	60	447	65.4%	1
48*/ FRANKLIN	FILED	94	22	416	115	0	3	9	38	5	1871	2573		
	DISP.	59	11	372	66	0	2	4	33	5	1058	1610	62.6%	2
49 / ALLEN	FILED	37	4	122	40	0	2	0	12	6	17	240		
	DISP.	46	1	110	45	0	3	1	10	5	12	233	97.1%	
SIMPSON	FILED	69	1	191	76	0	10	1	10	3	22	383		
	DISP.	85	1	206	100	0	7	2	7	3	22	433	113.1%	
CIRCUIT TOTAL	FILED	106	5	313	116	0	12	1	22	9	39	623		
	DISP.	131	2	316	145	0	10	3	17	8	34	666	106.9%	1
50*/ BOYLE	FILED	118	7	271	169	0	2	0	20	3	25	615		
	DISP.	106	8	268	152	0	2	0	14	3	16	569	92.5%	
MERCER	FILED	68	0	180	64	0	0	1	13	2	12	340		
	DISP.	62	1	195	61	0	1	0	16	2	11	349	102.6%	
CIRCUIT TOTAL	FILED	186	7	451	233	0	2	1	33	5	37	955		
	DISP.	168	9	463	213	0	3	0	30	5	27	918	96.1%	1
51 / HENDERSON	FILED	127	0	567	244	0	3	2	43	8	78	1072		
	DISP.	115	0	469	221	2	6	1	30	6	51	901	84.0%	1
52 / GRAVES	FILED	108	1	346	177	0	11	4	22	3	3	675		
	DISP.	51	0	248	99	1	12	0	23	3	3	440	65.2%	1
53 / ANDERSON	FILED	10	0	80	36	1	1	0	6	3	3	140		
	DISP.	5	0	47	21	0	0	0	2	1	2	78	55.7%	
SHELBY	FILED	45	0	190	145	0	0	0	10	3	34	427		
	DISP.	27	0	158	108	0	0	0	7	3	19	322	75.4%	
SPENCER	FILED	4	6	53	32	0	0	0	2	1	5	103		
	DISP.	5	6	39	29	0	0	0	2	1	4	86	83.5%	
CIRCUIT TOTAL	FILED	59	6	323	213	1	1	0	18	7	42	670		
	DISP.	37	6	244	158	0	0	0	11	5	25	486	72.5%	1

(CONTINUED)

FISCAL YEAR 1979-80 CIRCUIT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

CIRCUIT/COUNTIES		CASE TYPES*** CRIM	CRIM APPL	DOM REL	CIVL SUIT	PROB	WORK COMP	CIVL APPL	ADP/ TERM	MENT HLTH	OTHR CIVL	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES
54 / BOONE	FILED	125	0	400	360	0	6	25	34	4	17	971		
	DISP.	136	0	378	287	0	8	25	35	4	61	934	96.2%	
GALLATIN	FILED	18	2	32	36	1	0	1	1	1	1	93		
	DISP.	17	2	34	14	0	0	1	3	0	0	71	76.3%	
CIRCUIT TOTAL	FILED	143	2	432	396	1	6	26	35	5	18	1064		
	DISP.	153	2	412	301	0	8	26	38	4	61	1005	94.5%	1
55*/ BULLITT	FILED	67	0	277	200	0	1	7	21	1	19	593		
	DISP.	87	0	273	169	0	1	7	18	1	19	575	97.0%	1
56 / CALDWELL	FILED	65	3	118	78	0	2	1	5	12	1	285		
	DISP.	54	2	83	32	0	0	2	4	9	0	186	65.3%	
LIVINGSTON	FILED	27	0	68	37	0	2	3	3	1	14	155		
	DISP.	24	0	66	26	0	6	2	2	0	9	135	87.1%	
LYON	FILED	69	0	81	34	0	1	4	3	5	32	229		
	DISP.	63	0	63	22	0	1	5	1	4	25	184	80.3%	
TRIGG	FILED	16	1	83	53	0	2	0	6	3	6	170		
	DISP.	27	0	66	43	0	1	0	2	3	2	144	84.7%	
CIRCUIT TOTAL	FILED	177	4	350	202	0	7	8	17	21	53	839		
	DISP.	168	2	278	123	0	8	9	9	16	36	649	77.4%	1
CIRCUIT TOTAL	FILED	11162	397	34999	20479	63	707	403	2428	2367	7768	80773		
	DISP.	9455	392	33383	18873	75	702	312	2247	2183	6080	73702	91.2%	87

* THESE CIRCUITS UTILIZE SPECIAL "DOMESTIC RELATIONS COMMISSIONERS". THE PARTICULAR JURISDICTIONS AND CASELOADS OF THESE COMMISSIONERS VARY CONSIDERABLY IN DIFFERENT CIRCUITS, AND SOMETIMES IN DIFFERENT COUNTIES WITHIN A SINGLE CIRCUIT.

** RATIO OF TOTAL DISPOSITIONS TO TOTAL FILINGS STATED AS A PERCENTAGE. CLEARANCE RATES CONSIDERABLY GREATER THAN 100% USUALLY INDICATE THAT A CLEARING OF OLD CASES WHERE THERE HAS BEEN NO ACTION, OR DOCKET "PURGE", HAS TAKEN PLACE SOMETIME DURING THE YEAR.

*** FROM LEFT TO RIGHT, THE CASE CATEGORIES ARE CRIMINAL (COUNTED BY DEFENDANT), CRIMINAL AND TRAFFIC CASE APPEALS FROM DISTRICT COURT, DOMESTIC RELATIONS, CIVIL SUITS, PROBATE CHALLENGES AND WILL CONTESTS, WORKMENS COMPENSATION BOARD APPEALS, CIVIL CASE APPEALS FROM DISTRICT COURT, ADOPTIONS AND TERMINATIONS OF PARENTAL RIGHTS, MENTAL HEALTH COMMITMENTS AND COMPETENCY HEARINGS, AND OTHER CIVIL CASES (E.G., APPEALS FROM ZONING OR OTHER ADMINISTRATIVE BOARDS, TAX APPEALS, UNIFORM RECIPROCAL SUPPORT ACT CASES, COMMONWEALTH-INITIATED FISCAL SUITS, CASES INVOLVING ONLY INJUNCTIVE RELIEF, ETC.). CRIMINAL CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY OF CRIMINAL CASELOAD DATA.

APPENDIX B

Fiscal Year 1979-80

District Court

Filings and Dispositions
For Counties and Districts
By Case Type

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM
1 / BALLARD	FILED	24	293	1269	35	143	82	98	1944			
	DISP.	28	304	1246	19	109	62	81	1849	95.1%		
CARLISLE	FILED	35	138	486	17	52	62	25	815			
	DISP.	24	109	470	3	41	41	15	703	86.3%		
FULTON	FILED	121	904	795	28	135	97	197	2277			
	DISP.	109	639	661	17	102	72	171	1771	77.8%		
HICKMAN	FILED	61	185	223	18	60	68	68	683			
	DISP.	58	202	235	20	63	51	81	710	104.0%		
DISTRICT TOTAL	FILED	241	1520	2773	98	390	309	388	5719			
	DISP.	219	1254	2612	59	315	226	348	5033	88.0%	2	2
2 / MCCRACKEN	FILED	545	3370	4596	627	443	529	451	10561			
	DISP.	502	3320	4267	482	360	496	373	9800	92.8%	2	0
3 / CHRISTIAN	FILED	568	3252	4223	679	502	464	574	10262			
	DISP.	572	3295	3939	767	476	295	569	9913	96.6%	2	0
4 / HOPKINS	FILED	296	3441	3249	482	478	317	700	8963			
	DISP.	277	3115	2977	260	461	228	316	7634	85.2%	1	1
5 / CRITTENDEN	FILED	66	741	385	34	131	95	31	1483			
	DISP.	59	639	332	34	103	83	45	1295	87.3%		
UNION	FILED	149	966	200	160	348	144	120	2087			
	DISP.	133	727	180	97	295	20	14	1466	70.2%		
WEBSTER	FILED	61	455	1908	200	107	133	49	2913			
	DISP.	60	397	1605	144	110	117	17	2450	84.1%		
DISTRICT TOTAL	FILED	276	2162	2493	394	586	372	200	6483			
	DISP.	252	1763	2117	275	508	220	76	5211	80.4%	1	3
6 / DAVIESS	FILED	566	5215	4018	812	583	716	1254	13164			
	DISP.	519	5037	4006	796	541	703	1373	12975	98.6%	3	0
7 / LOGAN	FILED	176	1159	691	179	367	194	174	2940			
	DISP.	166	1067	682	132	373	151	171	2742	93.3%		
TODD	FILED	75	320	767	39	142	83	84	1510			
	DISP.	80	298	787	30	119	66	51	1431	94.8%		
DISTRICT TOTAL	FILED	251	1479	1458	218	509	277	258	4450			
	DISP.	246	1365	1469	162	492	217	222	4173	93.8%	1	1
8 / WARREN	FILED	394	4546	4828	1337	479	482	1023	13089			
	DISP.	420	4306	4537	843	411	422	923	11862	90.6%	2	0
9 / HARDIN	FILED	302	3121	2890	781	305	407	546	8352			
	DISP.	291	3058	2897	479	284	387	536	7932	95.0%	2	1

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM.
10 / HART	FILED	84	784	454	123	170	113	75	1803			
	DISP.	70	775	454	89	170	109	80	1747	96.9%		
LARUE	FILED	60	474	513	56	86	114	89	1392			
	DISP.	67	498	505	51	84	85	91	1381	99.2%		
NELSON	FILED	142	1144	1458	228	355	165	173	3665			
	DISP.	115	1100	1381	151	362	138	175	3422	93.4%		
DISTRICT TOTAL	FILED	286	2402	2425	407	611	392	337	6860			
	DISP.	252	2373	2340	291	616	332	346	6550	95.5%	1	2
11 / GREEN	FILED	32	321	254	74	178	81	35	975			
	DISP.	25	280	224	47	158	70	33	837	85.8%		
MARION	FILED	116	1207	761	98	237	140	147	2706			
	DISP.	119	1158	769	71	227	102	129	2575	95.2%		
TAYLOR	FILED	118	831	973	169	231	161	182	2665			
	DISP.	104	770	898	139	185	112	172	2380	89.3%		
WASHINGTON	FILED	42	269	502	75	107	84	50	1129			
	DISP.	31	271	471	49	89	57	29	997	88.3%		
DISTRICT TOTAL	FILED	308	2628	2490	416	753	466	414	7475			
	DISP.	279	2479	2362	306	659	341	363	6789	90.8%	2	3
12 / HENRY	FILED	97	595	565	113	169	102	96	1737			
	DISP.	96	652	549	58	183	88	80	1706	98.2%		
OLDHAM	FILED	126	1786	1331	216	243	132	297	4131			
	DISP.	119	1691	1218	188	186	95	297	3794	91.8%		
TRIMBLE	FILED	12	255	304	33	51	43	53	751			
	DISP.	11	227	283	27	51	46	54	699	93.1%		
DISTRICT TOTAL	FILED	235	2636	2200	362	463	277	446	6619			
	DISP.	226	2570	2050	273	420	229	431	6199	93.7%	2	1
13 / GARRARD	FILED	50	534	420	74	123	83	53	1337			
	DISP.	56	513	398	55	101	85	50	1258	94.1%		
JESSAMINE	FILED	151	1664	1139	259	161	175	305	3854			
	DISP.	162	1614	1100	190	143	141	300	3650	94.7%		
LINCOLN	FILED	107	875	671	163	208	136	184	2344			
	DISP.	83	866	581	81	164	57	120	1952	83.3%		
DISTRICT TOTAL	FILED	308	3073	2230	496	492	394	542	7535			
	DISP.	301	2993	2079	326	408	283	470	6860	91.0%	2	1
14 / BOURBON	FILED	118	1099	1141	124	174	163	163	2982			
	DISP.	118	1054	1064	83	159	153	144	2775	93.1%		
SCOTT	FILED	149	941	2122	150	219	162	157	3900			
	DISP.	118	867	1877	109	217	153	124	3465	88.8%		
WOODFORD	FILED	68	1135	1247	89	78	143	224	2984			
	DISP.	55	905	1222	78	65	181	170	2676	89.7%		
DISTRICT TOTAL	FILED	335	3175	4510	363	471	468	544	9866			
	DISP.	291	2826	4163	270	441	487	438	8916	90.4%	2	2

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM.
15 / CARROLL	FILED	81	633	894	68	160	89	153	2078			
	DISP.	72	594	733	53	143	69	135	1799	86.6%		
GRANT	FILED	78	735	1964	62	200	255	162	3456			
	DISP.	82	699	1971	34	169	361	150	3466	100.3%		
OWEN	FILED	20	202	184	41	217	76	65	805			
	DISP.	22	200	173	31	152	93	55	726	90.2%		
DISTRICT TOTAL	FILED	179	1570	3042	171	577	420	380	6339			
	DISP.	176	1493	2877	118	464	523	340	5991	94.5%	1	2
16 / KENTON	FILED	711	5476	6313	1631	551	961	1342	16985			
	DISP.	664	4746	5659	1470	442	730	1132	14843	87.4%	4	0
17 / CAMPBELL	FILED	352	2906	4656	725	317	603	1067	10626			
	DISP.	339	2828	4416	566	334	561	792	9836	92.6%	3	0
18 / HARRISON	FILED	41	645	560	70	129	190	82	1717			
	DISP.	41	622	532	51	108	129	73	1556	90.6%		
NICHOLAS	FILED	35	289	161	43	112	63	36	739			
	DISP.	33	267	147	30	78	61	36	652	88.2%		
PENDLETON	FILED	64	372	465	48	75	141	68	1233			
	DISP.	62	351	441	19	65	95	67	1100	89.2%		
ROBERTSON	FILED	2	53	46	6	13	22	22	164			
	DISP.	2	51	44	5	14	23	21	160	97.6%		
DISTRICT TOTAL	FILED	142	1359	1232	167	329	416	208	3853			
	DISP.	138	1291	1164	105	265	308	197	3468	90.0%	2	2
19 / BRACKEN	FILED	40	264	274	40	94	83	79	874			
	DISP.	40	220	239	26	93	65	55	738	84.4%		
FLEMING	FILED	56	369	560	36	122	114	54	1311			
	DISP.	56	358	543	27	116	66	34	1200	91.5%		
MASON	FILED	64	613	942	105	217	135	102	2178			
	DISP.	66	579	867	119	216	124	83	2054	94.3%		
DISTRICT TOTAL	FILED	160	1246	1776	181	433	332	235	4363			
	DISP.	162	1157	1649	172	425	255	172	3992	91.5%	1	2
20 / GREENUP	FILED	153	1883	1576	113	229	245	295	4494			
	DISP.	139	1921	1444	92	199	155	289	4239	94.3%		
LEWIS	FILED	30	338	363	65	104	103	85	1088			
	DISP.	46	333	342	38	102	86	63	1010	92.8%		
DISTRICT TOTAL	FILED	183	2221	1939	178	333	348	380	5582			
	DISP.	185	2254	1786	130	301	241	352	5249	94.0%	1	2

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM.
21 / BATH	FILED	44	391	451	19	142	62	71	1180			
	DISP.	41	382	397	7	118	37	43	1025	86.9%		
MENIFEE	FILED	44	258	289	37	35	17	48	728			
	DISP.	43	263	293	17	29	14	37	696	95.6%		
MONTGOMERY	FILED	91	1677	1294	105	260	133	204	3764			
	DISP.	82	1694	1245	70	236	84	166	3577	95.0%		
ROWAN	FILED	114	1347	1270	80	118	107	156	3192			
	DISP.	74	1191	1152	42	107	77	144	2787	87.3%		
DISTRICT TOTAL	FILED	293	3673	3304	241	555	319	479	8864			
	DISP.	240	3530	3087	136	490	212	390	8085	91.2%	2	2
22 / FAYETTE*****	FILED	1748	11317	29857	4177	1628	1514	1659	51900			
	DISP.	1785	10800	27747	3441	1461	1347	1453	48034	92.6%	6	0
23 / ESTILL	FILED	40	333	379	38	178	91	112	1171			
	DISP.	30	313	338	21	121	49	60	932	79.6%		
LEE	FILED	33	512	592	191	90	64	87	1569			
	DISP.	21	474	556	10	47	3	54	1165	74.3%		
OWSLEY	FILED	32	296	435	21	122	37	62	1005			
	DISP.	27	280	394	19	111	32	42	905	90.0%		
DISTRICT TOTAL	FILED	105	1141	1406	250	390	192	261	3745			
	DISP.	78	1067	1288	50	279	84	156	3002	80.2%	1	2
24 / JOHNSON	FILED	112	1017	1887	124	190	187	122	3639			
	DISP.	108	879	1748	59	211	178	88	3271	89.9%		
LAWRENCE	FILED	137	710	818	59	201	111	137	2173			
	DISP.	104	540	923	34	182	44	111	1938	89.2%		
MARTIN	FILED	90	805	774	110	97	89	140	2105			
	DISP.	105	862	950	65	81	67	104	2234	106.1%		
DISTRICT TOTAL	FILED	339	2532	3479	293	488	387	399	7917			
	DISP.	317	2281	3621	158	474	289	303	7443	94.0%	1	2
25 / CLARK	FILED	195	2292	2589	253	248	241	436	6254			
	DISP.	179	2185	2630	265	223	169	399	6050	96.7%		
MADISON	FILED	493	5295	4432	328	466	339	814	12167			
	DISP.	403	4851	4067	183	424	35	380	10343	85.0%		
DISTRICT TOTAL	FILED	688	7587	7021	581	714	580	1250	18421			
	DISP.	582	7036	6697	448	647	204	779	16393	89.0%	3	0
26 / HARLAN	FILED	374	2856	4345	138	445	200	435	8793			
	DISP.	428	2164	3361	103	425	72	379	6932	78.8%	1	2

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM.
27 / KNOX	FILED	211	1346	1473	137	231	180	271	3849			
	DISP.	199	1232	1362	76	170	48	195	3282	85.3%		
LAUREL	FILED	254	1924	2593	242	296	218	473	6000			
	DISP.	259	1841	2351	166	255	122	567	5561	92.7%		
DISTRICT TOTAL	FILED	465	3270	4066	379	527	398	744	9849			
	DISP.	458	3073	3713	242	425	170	762	8843	89.8%	2	0
28 / PULASKI	FILED	277	1989	2167	218	555	369	607	6182			
	DISP.	272	2018	2182	146	470	318	591	5997	97.0%		
ROCKCASTLE	FILED	96	482	621	46	170	108	94	1617			
	DISP.	86	489	596	20	127	47	73	1438	88.9%		
DISTRICT TOTAL	FILED	373	2471	2788	264	725	477	701	7799			
	DISP.	358	2507	2778	166	597	365	664	7435	95.3%	2	1
29 / ADAIR	FILED	56	783	396	48	119	114	42	1558			
	DISP.	58	789	393	33	98	42	43	1456	93.5%		
CASEY	FILED	58	853	795	89	317	107	81	2300			
	DISP.	53	745	758	46	280	61	19	1962	85.3%		
CUMBERLAND	FILED	46	477	323	46	183	63	53	1191			
	DISP.	45	477	310	12	158	17	56	1075	90.3%		
MONROE	FILED	57	649	274	82	142	99	36	1339			
	DISP.	44	611	192	25	111	75	32	1090	81.4%		
DISTRICT TOTAL	FILED	217	2762	1788	265	761	383	212	6388			
	DISP.	200	2622	1653	116	647	195	150	5583	87.4%	2	2
30 / JEFFERSON****	FILED	8588	30859	97663	30949	2646	4871	9713	185289			
	DISP.	7606	23381	76142	24992	2135	3915	5970	144141	77.8%	23	0
31 / FLOYD	FILED	338	2178	3200	247	270	285	315	6833			
	DISP.	382	2267	3827	168	291	327	269	7531	110.2%	1	2
32 / BOYD	FILED	130	1730	4431	306	335	422	421	7775			
	DISP.	114	1533	3898	236	280	356	471	6888	88.6%	2	0
33 / PERRY	FILED	282	2419	2608	274	391	151	543	6668			
	DISP.	337	1855	2091	146	297	63	497	5286	79.3%	1	1

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM.
34 / MCCREARY	FILED	137	1368	1117	49	182	118	243	3214			
	DISP.	131	1258	1091	16	177	245	289	3207	99.8%		
WHITLEY	FILED	257	1481	1176	127	224	176	488	3929			
	DISP.	467	1811	1132	70	230	88	384	4182	106.4%		
DISTRICT TOTAL	FILED	394	2849	2293	176	406	294	731	7143			
	DISP.	598	3069	2223	86	407	333	673	7389	103.4%	1	2
35 / PIKE	FILED	727	4643	4335	564	841	447	383	11940			
	DISP.	413	3203	3080	313	692	437	415	8553	71.6%	2	3
36 / KNOTT	FILED	57	1269	1209	53	116	70	171	2945			
	DISP.	38	827	639	17	99	0	201	1821	61.8%		
MAGOFFIN	FILED	42	1553	1740	41	139	85	75	3675			
	DISP.	22	1227	1374	16	88	14	25	2766	75.3%		
DISTRICT TOTAL	FILED	99	2822	2949	94	255	155	246	6620			
	DISP.	60	2054	2013	33	187	14	226	4587	69.3%	1	1
37 / CARTER	FILED	97	1060	1613	43	77	142	111	3143			
	DISP.	91	1000	1418	41	70	126	183	2929	93.2%		
ELLIOTT	FILED	15	248	288	11	27	32	17	638			
	DISP.	19	216	209	12	29	8	14	507	79.5%		
MORGAN	FILED	25	423	493	35	68	77	54	1175			
	DISP.	37	407	427	46	61	51	92	1121	95.4%		
DISTRICT TOTAL	FILED	137	1731	2394	89	172	251	182	4956			
	DISP.	147	1623	2054	99	160	185	289	4557	91.9%	1	2
38 / BUTLER	FILED	70	311	497	69	125	108	71	1251			
	DISP.	61	251	442	37	111	103	54	1059	84.7%		
EDMONSON	FILED	44	497	453	40	112	55	43	1044			
	DISP.	41	447	214	28	84	47	34	895	85.7%		
HANCOCK	FILED	36	165	678	38	144	47	32	1140			
	DISP.	25	123	487	19	123	34	30	841	73.8%		
OHIO	FILED	91	1076	1188	191	374	208	190	3318			
	DISP.	83	1049	1158	135	313	201	127	3066	92.4%		
DISTRICT TOTAL	FILED	241	2049	2616	338	755	418	336	6753			
	DISP.	210	1870	2301	219	631	385	245	5861	86.8%	2	3
39 / BREATHITT	FILED	63	606	938	65	130	81	84	1967			
	DISP.	34	500	668	18	53	0	10	1283	65.2%		
POWELL	FILED	58	1675	875	50	201	92	322	3273			
	DISP.	4	1435	728	23	225	17	284	2716	83.0%		
WOLFE	FILED	22	565	550	4	71	50	27	1289			
	DISP.	20	604	555	3	65	13	11	1271	98.6%		
DISTRICT TOTAL	FILED	143	2846	2363	119	402	223	433	6529			
	DISP.	58	2539	1951	44	343	30	305	5270	80.7%	1	3

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES***								CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM.
		FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL			
40 / CLINTON	FILED	38	825	700	36	132	60	112	1903			
	DISP.	43	743	777	16	106	28	117	1830	96.2%		
RUSSELL	FILED	50	894	620	60	227	329	173	2353			
	DISP.	45	798	592	49	183	51	143	1861	79.1%		
WAYNE	FILED	78	1125	766	46	195	101	231	2542			
	DISP.	81	1080	771	33	184	72	176	2397	94.3%		
DISTRICT TOTAL	FILED	166	2844	2086	142	554	490	516	6798			
	DISP.	169	2621	2140	98	473	151	436	6088	89.6%	1	2
41 / CLAY	FILED	141	1398	1271	88	313	278	303	3792			
	DISP.	208	1343	1428	39	239	264	271	3792	100.0%		
JACKSON	FILED	61	743	738	26	158	69	100	1895			
	DISP.	68	699	744	12	138	42	105	1808	95.4%		
LESLIE	FILED	99	683	921	47	65	63	82	1960			
	DISP.	129	697	795	17	55	26	76	1795	91.6%		
DISTRICT TOTAL	FILED	301	2824	2930	161	536	410	485	7647			
	DISP.	405	2739	2967	68	432	332	452	7395	96.7%	1	2
42 / CALLOWAY	FILED	163	808	1335	186	335	265	246	3338			
	DISP.	155	768	1270	168	303	255	199	3118	93.4%		
MARSHALL	FILED	171	1059	1442	121	261	179	296	3529			
	DISP.	158	954	1321	92	227	162	296	3210	91.0%		
DISTRICT TOTAL	FILED	334	1867	2777	307	596	444	542	6867			
	DISP.	313	1722	2591	260	530	417	495	6328	92.2%	1	1
43 / BARREN	FILED	152	1494	1611	291	367	312	232	4459			
	DISP.	157	1460	1624	186	366	252	247	4292	96.3%		
METCALFE	FILED	51	325	177	77	109	87	34	860			
	DISP.	49	321	157	44	101	69	34	775	90.1%		
DISTRICT TOTAL	FILED	203	1819	1788	368	476	399	266	5319			
	DISP.	206	1781	1781	230	467	321	281	5067	95.3%	1	1
44 / BELL	FILED	245	2432	2361	175	279	177	383	6052			
	DISP.	223	2179	2144	100	204	49	313	5212	86.1%	1	0
45 / MCLEAN	FILED	42	190	538	44	95	99	17	1025			
	DISP.	28	166	482	6	29	39	5	755	73.7%		
MUHLENBERG	FILED	151	1232	1903	286	300	222	184	4278			
	DISP.	121	1086	1819	186	315	185	132	3844	89.9%		
DISTRICT TOTAL	FILED	193	1422	2441	330	395	321	201	5303			
	DISP.	149	1252	2301	192	344	224	137	4599	86.7%	1	1

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM
46 / BRECKINRIDGE	FILED	77	754	539	42	235	138	157	1942			
	DISP.	84	765	546	64	210	141	154	1984	102.2%		
GRAYSON	FILED	182	1395	877	113	426	165	214	3372			
	DISP.	144	1439	910	109	371	88	199	3260	96.7%		
MEADE	FILED	95	675	480	70	187	111	106	1724			
	DISP.	88	684	454	61	199	82	88	1656	96.1%		
DISTRICT TOTAL	FILED	354	2824	1896	225	848	414	477	7038			
	DISP.	316	2888	1930	234	780	311	441	6900	98.0%	2	1
47 / LETCHER	FILED	168	1214	1985	99	299	147	266	4178			
	DISP.	164	1237	1881	52	282	75	278	3969	95.0%	1	1
48 / FRANKLIN	FILED	339	3094	2426	2438	455	409	399	9560			
	DISP.	250	2513	2159	855	373	256	371	6777	70.9%	1	1
49 / ALLEN	FILED	64	379	356	56	303	152	56	1366			
	DISP.	55	348	321	49	263	120	60	1216	89.0%		
SIMPSON	FILED	125	529	432	166	304	156	202	1914			
	DISP.	118	484	413	144	278	140	173	1750	91.4%		
DISTRICT TOTAL	FILED	189	908	788	222	607	308	258	3280			
	DISP.	173	832	734	193	541	260	233	2966	90.4%	1	1
50 / BOYLE	FILED	165	1332	1366	187	285	191	367	3893			
	DISP.	141	1139	1292	196	249	147	353	3517	90.3%		
MERCER	FILED	104	609	797	121	478	149	144	2402			
	DISP.	131	767	762	108	435	130	132	2465	102.6%		
DISTRICT TOTAL	FILED	269	1941	2163	308	763	340	511	6295			
	DISP.	272	1906	2054	304	684	277	485	5982	95.0%	1	2
51 / HENDERSON	FILED	276	1694	3109	461	328	317	821	7006			
	DISP.	262	1537	2583	334	265	188	804	5973	85.3%	2	0
52 / GRAVES	FILED	219	996	627	143	347	292	297	2921			
	DISP.	234	989	607	107	321	190	287	2735	93.6%	1	0
53 / ANDERSON	FILED	57	572	747	42	213	173	48	1852			
	DISP.	54	555	716	29	173	185	46	1758	94.9%		
SHELBY	FILED	140	442	1637	181	191	212	178	2981			
	DISP.	132	395	1517	113	156	177	149	2639	88.5%		
SPENCER	FILED	18	211	150	38	55	65	20	557			
	DISP.	18	219	136	21	100	69	16	579	103.9%		
DISTRICT TOTAL	FILED	215	1225	2534	261	459	450	246	5390			
	DISP.	204	1169	2369	163	429	431	211	4976	92.3%	2	1

(CONTINUED)

FISCAL YEAR 1979-80 DISTRICT COURT CASE FILINGS AND DISPOSITIONS

(CONTINUED)

DISTRICT/COUNTIES		CASE TYPES*** FEL	MISD	TRAF	CIVL	SMLL CLMS	PROB	JUV	TOTAL	CLEAR-ANCE RATE**	NO. OF JUDGES	NO. OF TRIAL COMM.
54 / BOONE	FILED	306	1535	5565	631	259	268	1055	9619			
	DISP.	294	1444	4641	573	273	259	1036	8520	88.6%		
GALLATIN	FILED	35	320	1338	22	60	48	79	1902			
	DISP.	33	337	1432	12	58	30	84	1986	104.4%		
DISTRICT TOTAL	FILED	341	1855	6903	653	319	316	1134	11521			
	DISP.	327	1781	6073	585	331	289	1120	10506	91.2%	2	1
55 / BULLITT	FILED	175	1672	1455	277	189	190	475	4433			
	DISP.	173	1575	1679	253	162	166	478	4486	101.2%	1	0
56 / CALDWELL	FILED	86	452	733	81	198	163	84	1797			
	DISP.	78	365	680	62	167	122	95	1569	87.3%		
LIVINGSTON	FILED	36	294	766	29	64	64	30	1283			
	DISP.	38	279	710	21	47	53	29	1177	91.7%		
LYON	FILED	37	361	711	13	60	72	64	1318			
	DISP.	40	379	749	12	64	81	66	1391	105.5%		
TRIGG	FILED	40	356	422	55	86	71	95	1125			
	DISP.	34	269	329	53	100	88	72	945	84.0%		
DISTRICT TOTAL	FILED	199	1463	2632	178	408	370	273	5523			
	DISP.	190	1292	2468	148	378	344	262	5082	92.0%	2	2
DISTRICT TOTAL	FILED	26505	180627	287148	57017	30169	26711	38282	646459			
	DISP.	24712	162010	251352	43522	26487	20748	31249	560080	86.6%	114	70

** RATIO OF TOTAL DISPOSITIONS TO TOTAL FILINGS STATED AS A PERCENTAGE.

*** FROM LEFT TO RIGHT, THE CASE CATEGORIES ARE FELONY, MISDEMEANOR, TRAFFIC, CIVIL, SMALL CLAIMS, PROBATE, AND JUVENILE. FELONY, MISDEMEANOR, TRAFFIC, AND JUVENILE CASES ARE COUNTED BY DEFENDANT FOR REASONS OF CROSS-JURISDICTIONAL COMPARABILITY OF CASELOAD DATA FOR THESE CASE TYPES.

**** IN JEFFERSON COUNTY, A PARTIAL ESTIMATION WAS NECESSARY TO COUNT DEFENDANTS IN MISDEMEANOR AND TRAFFIC CASES IN WHICH A CITATION WAS ISSUED. THESE WERE BASED ON A ONE-AND-ONE-HALF MONTH SAMPLE COUNT OF TRAFFIC AND MISDEMEANOR CITATIONS, AND USING THE PERCENT OF TRAFFIC AND MISDEMEANOR CASES ORIGINATING BY CITATION, APPLYING THE SAMPLED PERCENTAGES TO THE TOTAL YEAR COUNT OF CHARGES. A MORE ELABORATE ESTIMATION TECHNIQUE WAS NECESSARY FOR FELONY, MISDEMEANOR, AND TRAFFIC CASE DISPOSITIONS.

***** IN FAYETTE COUNTY, A PARTIAL ESTIMATION WAS NECESSARY TO COUNT DEFENDANTS IN FELONY, MISDEMEANOR, AND TRAFFIC CASES FILED PRIOR TO AUGUST, 1979. THESE WERE BASED ON A ONE MONTH SAMPLE COUNT OF FELONY, MISDEMEANOR, AND TRAFFIC DEFENDANTS TO CHARGES, AND APPLYING THE SAMPLED PERCENTAGES TO THE COUNT OF CHARGES FOR THE MONTH OF JULY, 1979.

APPENDIX C

Fiscal Years 1978-79 to 1979-80

Circuit Court

Filings and Dispositions Increases/Decreases

Total Cases
For Counties and Circuits

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
CIRCUIT COURT

TOTAL FILINGS AND DISPOSITIONS BY CIRCUIT AND COUNTY

CIRCUIT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
1 / BALLARD	171	171	0	0.0 %	131	125	6	4.8 %
CARLISLE	69	65	4	6.2 %	54	44	10	22.7 %
FULTON	214	207	7	3.4 %	119	136	-17	-12.5 %
HICKMAN	144	120	24	20.0 %	255	154	101	65.6 %
TOTAL:	598	563	35	6.2 %	559	459	100	21.8 %
2 / MCCRACKEN	1437	1262	175	13.9 %	1382	1348	34	2.5 %
3 / CHRISTIAN	1388	1308	80	6.1 %	1354	1231	123	10.0 %
4 / HOPKINS	1055	907	148	16.3 %	922	1142	-220	-19.3 %
5 / CRITTENDEN	158	132	26	19.7 %	135	95	40	42.1 %
UNION	289	282	7	2.5 %	242	186	56	30.1 %
WEBSTER	311	323	-12	-3.7 %	351	314	37	11.8 %
TOTAL:	758	737	21	2.8 %	728	595	133	22.4 %
6 / DAVIESS	2178	1783	395	22.2 %	1771	1499	272	18.1 %
7 / LOGAN	531	414	117	28.3 %	341	275	66	24.0 %
TODD	240	202	38	18.8 %	218	131	87	66.4 %
TOTAL:	771	616	155	25.2 %	559	406	153	37.7 %
8 / WARREN	1907	1984	-77	-3.9 %	1548	1467	81	5.5 %
9 / HARDIN	1781	1442	339	23.5 %	1397	1133	264	23.3 %
10 / HART	307	250	57	22.8 %	218	182	36	19.8 %
LARUE	176	161	15	9.3 %	177	132	45	34.1 %
NELSON	447	352	95	27.0 %	385	351	34	9.7 %
TOTAL:	930	763	167	21.9 %	780	665	115	17.3 %
11 / GREEN	203	158	45	28.5 %	180	156	24	15.4 %
MARION	252	223	29	13.0 %	200	201	-1	-0.5 %
TAYLOR	449	354	95	26.8 %	387	243	144	59.3 %
WASHINGTON	112	91	21	23.1 %	107	141	-34	-24.1 %
TOTAL:	1016	826	190	23.0 %	874	741	133	17.9 %
12 / HENRY	200	193	7	3.6 %	198	169	29	17.2 %
OLDHAM	649	502	147	29.3 %	541	478	63	13.2 %
TRIMBLE	80	81	-1	-1.2 %	86	77	9	11.7 %
TOTAL:	929	776	153	19.7 %	825	724	101	14.0 %
13 / GARRARD	148	165	-17	-10.3 %	124	133	-9	-6.8 %
JESSAMINE	506	427	79	18.5 %	495	418	77	18.4 %
LINCOLN	305	267	38	14.2 %	207	193	14	7.3 %
TOTAL:	959	859	100	11.6 %	826	744	82	11.0 %

(CONTINUED)

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
CIRCUIT COURT

TOTAL FILINGS AND DISPOSITIONS BY CIRCUIT AND COUNTY

(CONTINUED)

CIRCUIT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
14 / BOURBON	301	271	30	11.1 %	214	197	17	8.6 %
SCOTT	362	329	33	10.0 %	262	225	37	16.4 %
WOODFORD	336	333	3	0.9 %	264	245	19	7.8 %
TOTAL:	999	933	66	7.1 %	740	667	73	10.9 %
15 / CARROLL	288	206	82	39.8 %	358	201	157	78.1 %
GRANT	257	214	43	20.1 %	169	146	23	15.8 %
OWEN	123	116	7	6.0 %	165	129	36	27.9 %
TOTAL:	668	536	132	24.6 %	692	476	216	45.4 %
16 / KENTON	2965	2612	353	13.5 %	2561	2454	107	4.4 %
17 / CAMPBELL	1632	1465	167	11.4 %	1374	1582	-208	-13.1 %
18 / HARRISON	256	223	33	14.8 %	201	169	32	18.9 %
NICHOLAS	100	82	18	22.0 %	55	92	-37	-40.2 %
PENDLETON	158	121	37	30.6 %	114	91	23	25.3 %
ROBERTSON	26	26	0	0.0 %	27	21	6	28.6 %
TOTAL:	540	452	88	19.5 %	397	373	24	6.4 %
19 / BRACKEN	120	85	35	41.2 %	104	85	19	22.4 %
FLEMING	150	170	-20	-11.8 %	136	164	-28	-17.1 %
MASON	332	299	33	11.0 %	312	302	10	3.3 %
TOTAL:	602	554	48	8.7 %	552	551	1	0.2 %
20 / GREENUP	737	686	51	7.4 %	422	388	34	8.8 %
LEWIS	227	180	47	26.1 %	190	136	54	39.7 %
TOTAL:	964	866	98	11.3 %	612	524	88	16.8 %
21 / BATH	153	107	46	43.0 %	119	102	17	16.7 %
MENIFEE	94	74	20	27.0 %	87	62	25	40.3 %
MONTGOMERY	406	328	78	23.8 %	335	284	51	18.0 %
ROWAN	387	312	75	24.0 %	318	213	105	49.3 %
TOTAL:	1040	821	219	26.7 %	859	661	198	30.0 %
22 / FAYETTE	5768	4563	1205	26.4 %	4959	4344	615	14.2 %
23 / ESTILL	250	207	43	20.8 %	142	111	31	27.9 %
LEE	191	149	42	28.2 %	147	109	38	34.9 %
OWSLEY	150	130	20	15.4 %	128	76	52	68.4 %
TOTAL:	591	486	105	21.6 %	417	296	121	40.9 %
24 / JOHNSON	594	568	26	4.6 %	337	809	-472	-58.3 %
LAWRENCE	297	298	-1	-0.3 %	241	139	102	73.4 %
MARTIN	358	311	47	15.1 %	333	308	25	8.1 %
TOTAL:	1249	1177	72	6.1 %	911	1256	-345	-27.5 %

(CONTINUED)

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
CIRCUIT COURT

TOTAL FILINGS AND DISPOSITIONS BY CIRCUIT AND COUNTY

(CONTINUED)

CIRCUIT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
25 / CLARK	580	536	44	8.2 %	482	420	62	14.8 %
MADISON	926	760	166	21.8 %	794	642	152	23.7 %
TOTAL:	1506	1296	210	16.2 %	1276	1062	214	20.2 %
26 / HARLAN	955	838	117	14.0 %	900	438	462	105.5 %
27 / KNOX	612	571	41	7.2 %	377	265	112	42.3 %
LAUREL	788	703	85	12.1 %	580	579	1	0.2 %
TOTAL:	1400	1274	126	9.9 %	957	844	113	13.4 %
28 / PULASKI	770	759	11	1.4 %	621	598	23	3.8 %
ROCKCASTLE	289	237	52	21.9 %	208	225	-17	-7.6 %
TOTAL:	1059	996	63	6.3 %	829	823	6	0.7 %
29 / ADAIR	209	180	29	16.1 %	176	145	31	21.4 %
CASEY	262	213	49	23.0 %	148	125	23	18.4 %
CUMBERLAND	150	132	18	13.6 %	99	75	24	32.0 %
MONROE	168	161	7	4.3 %	78	72	6	8.3 %
TOTAL:	789	686	103	15.0 %	501	417	84	20.1 %
30 / JEFFERSON	16404	15306	1098	7.2 %	19835	16283	3552	21.8 %
31 / FLOYD	1021	981	40	4.1 %	856	660	196	29.7 %
32 / BOYD	1728	1214	514	42.3 %	1489	1112	377	33.9 %
33 / PERRY	764	697	67	9.6 %	617	677	-60	-8.9 %
34 / MCCREARY	401	292	109	37.3 %	463	354	109	30.8 %
WHITLEY	826	744	82	11.0 %	902	495	407	82.2 %
TOTAL:	1227	1036	191	18.4 %	1365	849	516	60.8 %
35 / PIKE	2081	1849	232	12.5 %	1631	1487	144	9.7 %
36 / KNOTT	317	337	-20	-5.9 %	149	203	-54	-26.6 %
MAGOFFIN	392	337	55	16.3 %	227	243	-16	-6.6 %
TOTAL:	709	674	35	5.2 %	376	446	-70	-15.7 %
37 / CARTER	383	338	45	13.3 %	284	211	73	34.6 %
ELLIOTT	131	116	15	12.9 %	92	66	26	39.4 %
MORGAN	196	193	3	1.6 %	151	109	42	38.5 %
TOTAL:	710	647	63	9.7 %	527	386	141	36.5 %

(CONTINUED)

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
CIRCUIT COURT

TOTAL FILINGS AND DISPOSITIONS BY CIRCUIT AND COUNTY

(CONTINUED)

CIRCUIT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
38 / BUTLER	259	198	61	30.8 %	230	213	17	8.0 %
EDMONSON	181	168	13	7.7 %	132	102	30	29.4 %
HANCOCK	112	100	12	12.0 %	65	58	7	12.1 %
OHIO	488	411	77	18.7 %	344	384	-40	-10.4 %
TOTAL:	1040	877	163	18.6 %	771	757	14	1.8 %
39 / BREATHITT@@	358	351	7	2.0 %	29@@	114	-85	-74.6 %
POWELL	194	175	19	10.9 %	147	148	-1	-0.7 %
WOLFE	104	91	13	14.3 %	83	42	41	97.6 %
TOTAL:	656	617	39	6.3 %	259	304	-45	-14.8 %
40 / CLINTON	176	150	26	17.3 %	140	122	18	14.8 %
RUSSELL	231	229	2	0.9 %	192	219	-27	-12.3 %
WAYNE	321	285	36	12.6 %	293	333	-40	-12.0 %
TOTAL:	728	664	64	9.6 %	625	674	-49	-7.3 %
41 / CLAY	620	501	119	23.8 %	523	346	177	51.2 %
JACKSON	169	150	19	12.7 %	86	83	3	3.6 %
LESLIE	325	303	22	7.3 %	190	176	14	8.0 %
TOTAL:	1114	954	160	16.8 %	799	605	194	32.1 %
42 / CALLOWAY	583	517	66	12.8 %	578	542	36	6.6 %
MARSHALL	492	451	41	9.1 %	455	414	41	9.9 %
TOTAL:	1075	968	107	11.1 %	1033	956	77	8.1 %
43 / BARREN	727	651	76	11.7 %	571	522	49	9.4 %
METCALFE	226	139	87	62.6 %	124	100	24	24.0 %
TOTAL:	953	790	163	20.6 %	695	622	73	11.7 %
44 / BELL	689	597	92	15.4 %	1445	928	517	55.7 %
45 / MCLEAN	171	154	17	11.0 %	97	94	3	3.2 %
MUHLENBERG	688	537	151	28.1 %	608	382	226	59.2 %
TOTAL:	859	691	168	24.3 %	705	476	229	48.1 %
46 / BRECKINRIDGE	233	212	21	9.9 %	261	213	48	22.5 %
GRAYSON	360	340	20	5.9 %	368	364	4	1.1 %
MEADE	241	235	6	2.6 %	286	241	45	18.7 %
TOTAL:	834	787	47	6.0 %	915	818	97	11.9 %
47 / LETCHER	683	527	156	29.6 %	447	361	86	23.8 %
48 / FRANKLIN	2573	2061	512	24.8 %	1610	3463	-1853	-53.5 %

(CONTINUED)

@@ BECAUSE OF ADMINISTRATIVE PROBLEMS IN THE PREVIOUS BREATHITT COUNTY CIRCUIT CLERK'S OFFICE, THE RELIABILITY OF THE NUMBER OF CIRCUIT COURT DISPOSITIONS IS UNDER SCRUTINY, AND MAY BE SOMEWHAT LARGER.

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR CIRCUIT COURT

TOTAL FILINGS AND DISPOSITIONS BY CIRCUIT AND COUNTY

(CONTINUED)

CIRCUIT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
49 / ALLEN	240	229	11	4.8 %	233	188	45	23.9 %
SIMPSON	383	307	76	24.8 %	433	349	84	24.1 %
TOTAL:	623	536	87	16.2 %	666	537	129	24.0 %
50 / BOYLE	615	476	139	29.2 %	569	356	213	59.8 %
MERCER	340	299	41	13.7 %	349	288	61	21.2 %
TOTAL:	955	775	180	23.2 %	918	644	274	42.5 %
51 / HENDERSON	1072	915	157	17.2 %	901	830	71	8.6 %
52 / GRAVES	675	574	101	17.6 %	440	381	59	15.5 %
53 / ANDERSON	140	134	6	4.5 %	78	110	-32	-29.1 %
SHELBY	427	354	73	20.6 %	322	349	-27	-7.7 %
SPENCER	103	95	8	8.4 %	86	90	-4	-4.4 %
TOTAL:	670	583	87	14.9 %	486	549	-63	-11.5 %
54 / BOONE	971	901	70	7.8 %	934	818	116	14.2 %
GALLATIN	93	75	18	24.0 %	71	100	-29	-29.0 %
TOTAL:	1064	976	88	9.0 %	1005	918	87	9.5 %
55 / BULLITT	593	539	54	10.0 %	575	447	128	28.6 %
56 / CALDWELL	285	233	52	22.3 %	186	258	-72	-27.9 %
LIVINGSTON	155	149	6	4.0 %	135	192	-57	-29.7 %
LYON	229	177	52	29.4 %	184	149	35	23.5 %
TRIGG	170	151	19	12.6 %	144	87	57	65.5 %
TOTAL:	839	710	129	18.2 %	649	686	-37	-5.4 %
STATEWIDE TOTALS	80773	70926	9847	13.9 %	73702	65778	7924	12.0 %

APPENDIX D

Fiscal Years 1978-79 to 1979-80

District Court

Filings and Dispositions Increases/Decreases

Total Cases
For Counties and Districts

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
DISTRICT COURT

TOTAL FILINGS AND DISPOSITIONS BY DISTRICT AND COUNTY

DISTRICT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
1 / BALLARD	1944	1382	562	40.7 %	1849	1207	642	53.2 %
CARLISLE	815	950	-135	-14.2 %	703	794	-91	-11.5 %
FULTON	2277	2102	175	8.3 %	1771	1526	245	16.1 %
HICKMAN	683	803	-120	-14.9 %	710	704	6	0.9 %
TOTAL:	5719	5237	482	9.2 %	5033	4231	802	19.0 %
2 / MCCRACKEN	10561	10359	202	1.9 %	9800	8921	879	9.9 %
3 / CHRISTIAN	10262	9261	1001	10.8 %	9913	8410	1503	17.9 %
4 / HOPKINS	8963	7199	1764	24.5 %	7634	5667	1967	34.7 %
5 / CRITTENDEN	1483	1184	299	25.3 %	1295	1016	279	27.5 %
UNION	2087	1955	132	6.8 %	1466	1509	-43	-2.8 %
WEBSTER	2913	1970	943	47.9 %	2450	1651	799	48.4 %
TOTAL:	6483	5109	1374	26.9 %	5211	4176	1035	24.8 %
6 / DAVIESS	13164	12485	679	5.4 %	12975	11619	1356	11.7 %
7 / LOGAN	2940	2805	135	4.8 %	2742	2369	373	15.7 %
TODD	1510	1651	-141	-8.5 %	1431	1395	36	2.6 %
TOTAL:	4450	4456	-6	-0.1 %	4173	3764	409	10.9 %
8 / WARREN	13089	12484	605	4.8 %	11862	10650	1212	11.4 %
9 / HARDIN	8352	8030	322	4.0 %	7932	6877	1055	15.3 %
10 / HART	1803	1943	-140	-7.2 %	1747	1791	-44	-2.5 %
LARUE	1392	1256	136	10.8 %	1381	1174	207	17.6 %
NELSON	3665	3684	-19	-0.5 %	3422	3024	398	13.2 %
TOTAL:	6860	6883	-23	-0.3 %	6550	5989	561	9.4 %
11 / GREEN	975	953	22	2.3 %	837	878	-41	-4.7 %
MARION	2706	2635	71	2.7 %	2575	2378	197	8.3 %
TAYLOR	2665	2572	93	3.6 %	2380	2266	114	5.0 %
WASHINGTON	1129	980	149	15.2 %	997	791	206	26.0 %
TOTAL:	7475	7140	335	4.7 %	6789	6313	476	7.5 %
12 / HENRY	1737	1796	-59	-3.3 %	1706	1545	161	10.4 %
OLDHAM	4131	3271	860	26.3 %	3794	2803	991	35.4 %
TRIMBLE	751	790	-39	-4.9 %	699	601	98	16.3 %
TOTAL:	6619	5857	762	13.0 %	6199	4949	1250	25.3 %
13 / GARRARD	1337	1393	-56	-4.0 %	1258	1292	-34	-2.6 %
JESSAMINE	3854	3832	22	0.6 %	3650	3548	102	2.9 %
LINCOLN	2344	2355	-11	-0.5 %	1952	1859	93	5.0 %
TOTAL:	7535	7580	-45	-0.6 %	6860	6699	161	2.4 %

(CONTINUED)

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
DISTRICT COURT

TOTAL FILINGS AND DISPOSITIONS BY DISTRICT AND COUNTY

(CONTINUED)

DISTRICT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
14 / BOURBON	2982	2992	-10	-0.3 %	2775	2619	156	6.0 %
SCOTT	3900	4313	-413	-9.6 %	3465	3434	31	0.9 %
WOODFORD	2984	3115	-131	-4.2 %	2676	2406	270	11.2 %
TOTAL:	9866	10420	-554	-5.3 %	8916	8459	457	5.4 %
15 / CARROLL	2078	2306	-228	-9.9 %	1799	1881	-82	-4.4 %
GRANT	3456	3422	34	1.0 %	3466	3080	386	12.5 %
OWEN	805	814	-9	-1.1 %	726	655	71	10.8 %
TOTAL:	6339	6542	-203	-3.1 %	5991	5616	375	6.7 %
16 / KENTON	16985	16186	799	4.9 %	14843	13795	1048	7.6 %
17 / CAMPBELL	10626	10407	219	2.1 %	9836	8979	857	9.5 %
18 / HARRISON	1717	1566	151	9.6 %	1556	1307	249	19.1 %
NICHOLAS	739	804	-65	-8.1 %	652	731	-79	-10.8 %
PENDLETON	1233	1156	77	6.7 %	1100	1055	45	4.3 %
ROBERTSON	164	192	-28	-14.6 %	160	180	-20	-11.1 %
TOTAL:	3853	3718	135	3.6 %	3468	3273	195	6.0 %
19 / BRACKEN	874	808	66	8.2 %	738	682	56	8.2 %
FLEMING	1311	1348	-37	-2.7 %	1200	1168	32	2.7 %
MASON	2178	2143	35	1.6 %	2054	1819	235	12.9 %
TOTAL:	4363	4299	64	1.5 %	3992	3669	323	8.8 %
20 / GREENUP	4494	4876	-382	-7.8 %	4239	3794	445	11.7 %
LEWIS	1088	1085	3	0.3 %	1010	910	100	11.0 %
TOTAL:	5582	5961	-379	-6.4 %	5249	4704	545	11.6 %
21 / BATH	1180	1181	-1	-0.1 %	1025	1005	20	2.0 %
MENIFEE	728	573	155	27.1 %	696	525	171	32.6 %
MONTGOMERY	3764	4042	-278	-6.9 %	3577	3663	-86	-2.3 %
ROWAN	3192	3233	-41	-1.3 %	2787	2883	-96	-3.3 %
TOTAL:	8864	9029	-165	-1.8 %	8085	8076	9	0.1 %
22 / FAYETTE	51900	40291	11609	28.8 %	48034	37783	10251	27.1 %
23 / ESTILL	1171	1264	-93	-7.4 %	932	964	-32	-3.3 %
LEE	1569	1292	277	21.4 %	1165	1045	120	11.5 %
OWSLEY	1005	774	231	29.8 %	905	679	226	33.3 %
TOTAL:	3745	3330	415	12.5 %	3002	2688	314	11.7 %
24 / JOHNSON	3639	3309	330	10.0 %	3271	2608	663	25.4 %
LAWRENCE	2173	2262	-89	-3.9 %	1938	1727	211	12.2 %
MARTIN	2105	1939	166	8.6 %	2234	1705	529	31.0 %
TOTAL:	7917	7510	407	5.4 %	7443	6040	1403	23.2 %

(CONTINUED)

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
DISTRICT COURT

TOTAL FILINGS AND DISPOSITIONS BY DISTRICT AND COUNTY

(CONTINUED)

DISTRICT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
25 / CLARK	6254	6056	198	3.3 %	6050	5836	214	3.7 %
MADISON	12167	12624	-457	-3.6 %	10343	10632	-289	-2.7 %
TOTAL:	18421	18680	-259	-1.4 %	16393	16468	-75	-0.5 %
26 / HARLAN	8793	8757	36	0.4 %	6932	5765	1167	20.2 %
27 / KNOX	3849	3610	239	6.6 %	3282	2633	649	24.6 %
LAUREL	6000	5651	349	6.2 %	5561	4566	995	21.8 %
TOTAL:	9849	9261	588	6.3 %	8843	7199	1644	22.8 %
28 / PULASKI	6182	6215	-33	-0.5 %	5997	5691	306	5.4 %
ROCKCASTLE	1617	1768	-151	-8.5 %	1438	1534	-96	-6.3 %
TOTAL:	7799	7983	-184	-2.3 %	7435	7225	210	2.9 %
29 / ADAIR	1558	1523	35	2.3 %	1456	1451	5	0.3 %
CASEY	2300	2252	48	2.1 %	1962	1918	44	2.3 %
CUMBERLAND	1191	975	216	22.2 %	1075	840	235	28.0 %
MONROE	1339	1567	-228	-14.6 %	1090	1265	-175	-13.8 %
TOTAL:	6388	6317	71	1.1 %	5583	5474	109	2.0 %
30 / JEFFERSON	185289	159870	25419	15.9 %	144141	127317	16824	13.2 %
31 / FLOYD	6833	6061	772	12.7 %	7531	6031	1500	24.9 %
32 / BOYD	7775	6729	1046	15.5 %	6888	5585	1303	23.3 %
33 / PERRY	6668	5844	824	14.1 %	5286	4390	896	20.4 %
34 / MCCREARY	3214	2978	236	7.9 %	3207	2863	344	12.0 %
WHITLEY	3929	4605	-676	-14.7 %	4182	3170	1012	31.9 %
TOTAL:	7143	7583	-440	-5.8 %	7389	6033	1356	22.5 %
35 / PIKE	11940	11917	23	0.2 %	8553	7431	1122	15.1 %
36 / KNOTT	2945	2150	795	37.0 %	1821	1555	266	17.1 %
MAGOFFIN	3675	3732	-57	-1.5 %	2766	2957	-191	-6.5 %
TOTAL:	6620	5882	738	12.5 %	4587	4512	75	1.7 %
37 / CARTER	3143	2800	343	12.2 %	2929	2254	675	29.9 %
ELLIOTT	638	742	-104	-14.0 %	507	546	-39	-7.1 %
MORGAN	1175	1359	-184	-13.5 %	1121	1048	73	7.0 %
TOTAL:	4956	4901	55	1.1 %	4557	3848	709	18.4 %

(CONTINUED)

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
DISTRICT COURT

TOTAL FILINGS AND DISPOSITIONS BY DISTRICT AND COUNTY

(CONTINUED)

DISTRICT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
38 / BUTLER	1251	1385	-134	-9.7 %	1059	1003	56	5.6 %
EDMONSON	1044	1087	-43	-4.0 %	805	924	-29	-3.1 %
HANCOCK	1140	1015	125	12.3 %	841	852	-11	-1.3 %
OHIO	3318	3110	208	6.7 %	3066	2436	630	25.9 %
TOTAL:	6753	6597	156	2.4 %	5861	5215	646	12.4 %
39 / BREATHITT	1967	2797	-830	-29.7 %	1283	1686	-403	-23.9 %
POWELL	3273	2496	777	31.1 %	2716	1896	820	43.2 %
WOLFE	1289	1381	-92	-6.7 %	1271	1132	139	12.3 %
TOTAL:	6529	6674	-145	-2.2 %	5270	4714	556	11.8 %
40 / CLINTON	1903	1489	414	27.8 %	1830	1406	424	30.2 %
RUSSELL	2353	2118	235	11.1 %	1861	1857	4	0.2 %
WAYNE	2542	2877	-335	-11.6 %	2337	2525	-124	-5.1 %
TOTAL:	6798	6484	314	4.8 %	6088	5788	300	5.2 %
41 / CLAY	3792	3554	238	6.7 %	3792	3000	792	26.4 %
JACKSON	1895	1780	115	6.5 %	1808	1604	204	12.7 %
LESLIE	1960	1656	304	18.4 %	1795	1060	735	69.3 %
TOTAL:	7647	6990	657	9.4 %	7395	5664	1731	30.6 %
42 / CALLOWAY	3338	2980	358	12.0 %	3118	2594	524	20.2 %
MARSHALL	3529	3342	187	5.6 %	3210	2905	305	10.5 %
TOTAL:	6867	6322	545	8.6 %	6328	5499	829	15.1 %
43 / BARREN	4459	4937	-478	-9.7 %	4292	4499	-207	-4.6 %
METCALFE	860	880	-20	-2.3 %	775	769	6	0.8 %
TOTAL:	5319	5817	-498	-8.6 %	5067	5268	-201	-3.8 %
44 / BELL	6052	5647	405	7.2 %	5212	5071	141	2.8 %
45 / MCLEAN	1025	956	69	7.2 %	755	752	3	0.4 %
MUHLENBERG	4278	4079	199	4.9 %	3844	3467	377	10.9 %
TOTAL:	5303	5035	268	5.3 %	4599	4219	380	9.0 %
46 / BRECKINRIDGE	1942	2055	-113	-5.5 %	1984	1707	277	16.2 %
GRAYSON	3372	3246	126	3.9 %	3260	2814	446	15.8 %
MEADE	1724	1850	-126	-6.8 %	1656	1641	15	0.9 %
TOTAL:	7038	7151	-113	-1.6 %	6900	6162	738	12.0 %
47 / LETCHER	4178	3823	355	9.3 %	3969	3658	311	8.5 %
48 / FRANKLIN	9560	8120	1440	17.7 %	6777	6034	743	12.3 %

(CONTINUED)

COMPARISON OF FISCAL YEARS 1979-80 VS. 1978-79 REPORTED CASELOAD FOR
DISTRICT COURT

TOTAL FILINGS AND DISPOSITIONS BY DISTRICT AND COUNTY

(CONTINUED)

DISTRICT/COUNTIES	CASE FILINGS				CASE DISPOSITIONS			
	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE	FY79-80 TOTAL	FY78-79 TOTAL	DIFFERENCE (FY7980-FY7879)	PERCENTAGE DIFFERENCE
49 / ALLEN	1366	1275	91	7.1 %	1216	1186	30	2.5 %
SIMPSON	1914	1963	-49	-2.5 %	1750	1715	35	2.0 %
TOTAL:	3280	3238	42	1.3 %	2966	2901	65	2.2 %
50 / BOYLE	3893	3650	243	6.7 %	3517	3144	373	11.9 %
MERCER	2402	2557	-155	-6.1 %	2465	2390	75	3.1 %
TOTAL:	6295	6207	88	1.4 %	5982	5534	448	8.1 %
51 / HENDERSON	7006	7541	-535	-7.1 %	5973	6445	-472	-7.3 %
52 / GRAVES	2921	3387	-466	-13.8 %	2735	2676	59	2.2 %
53 / ANDERSON	1852	1850	2	0.1 %	1758	1604	154	9.6 %
SHELBY	2981	3848	-867	-22.5 %	2639	3357	-718	-21.4 %
SPENCER	557	643	-86	-13.4 %	579	602	-23	-3.8 %
TOTAL:	5390	6341	-951	-15.0 %	4976	5563	-587	-10.6 %
54 / BOONE	9619	8173	1446	17.7 %	8520	7347	1173	16.0 %
GALLATIN	1902	1879	23	1.2 %	1986	1519	467	30.7 %
TOTAL:	11521	10052	1469	14.6 %	10506	8866	1640	18.5 %
55 / BULLITT	4433	4321	112	2.6 %	4486	3814	672	17.6 %
56 / CALDWELL	1797	1870	-73	-3.9 %	1569	1521	48	3.2 %
LIVINGSTON	1283	1159	124	10.7 %	1177	1003	174	17.3 %
LYON	1318	1441	-123	-8.5 %	1391	1283	108	8.4 %
TRIGG	1125	1044	81	7.8 %	945	896	49	5.5 %
TOTAL:	5523	5514	9	0.2 %	5082	4703	379	8.1 %
STATEWIDE TOTALS	646459	594819	51640	8.7 %	560080	496419	63661	12.8 %

APPENDIX E

Fiscal Year 1979-80
Circuit and District Court
Total

Projected vs. Reported

Caseload Comparisons
For Counties and Circuit/Districts

In 1979, case filings data for calendar years 1972-1978 were projected to obtain forecast estimates of the expected number of cases which will be filed during 1979, 1980, 1981, and 1982. Because different types of cases vary at different rates in different courts, such estimates are obtained for each of the 10 circuit and 7 district court case types in each of the 120 counties in Kentucky -- a total of 2,040 separate mathematical operations. County, circuit or district, and statewide total projected caseloads are the sums of the relevant individual projections.

Briefly, caseload projections are done by a complex statistical procedure called "univariate linear regression". This method calculates and plots the straight line which best approximates the trend of the available data (e.g., 1972-1978). This line is then extended on a graph through the future years for which caseload forecasts are required (e.g., 1979-1982), the values of those points along that line becoming the "projected caseloads".

A more detailed description of this method appears in the 1977 Annual Report of the Administrative Office of the Courts (pp. 113-116).

Current projected caseloads were obtained based on calendar year case filings. Since the Annual Report format was changed, a new set of projections was required for fiscal years. These were obtained by adding together one-half of the projected caseload for each applicable calendar year. For instance, a projected filing figure for fiscal year 1979-80 is the sum of one-half of the 1979 calendar year plus one-half of the 1980 calendar year figures.

The comparisons of projected vs. reported total case filings, listed by county and circuit/district, follow:

COMPARISON OF PROJECTED VS. REPORTED CASELOADS FOR FISCAL YEAR 1979-80

TOTAL CASELOADS BY CIRCUIT/DISTRICT AND COUNTY

CIRCUIT/DISTRICT AND COUNTIES	CIRCUIT COURT				DISTRICT COURT			
	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE
1 / BALLARD	197	171	26	15.2 %	1291	1944	-653	-33.6 %
CARLISLE	82	69	13	18.8 %	1076	815	261	32.0 %
FULTON	220	214	6	2.8 %	1975	2277	-302	-13.3 %
HICKMAN	116	144	-28	-19.4 %	744	683	61	8.9 %
TOTAL:	615	598	17	2.8 %	5086	5719	-633	-11.1 %
2 / MCCRACKEN	1299	1437	-138	-9.6 %	10670	10561	109	1.0 %
3 / CHRISTIAN	1365	1388	-23	-1.7 %	10453	10262	191	1.9 %
4 / HOPKINS	1089	1055	34	3.2 %	6686	8963	-2277	-25.4 %
5 / CRITTENDEN	174	158	16	10.1 %	1085	1483	-398	-26.8 %
UNION	300	289	11	3.8 %	1975	2087	-112	-5.4 %
WEBSTER	341	311	30	9.6 %	2288	2913	-625	-21.5 %
TOTAL:	815	758	57	7.5 %	5348	6483	-1135	-17.5 %
6 / DAVIESS	1977	2178	-201	-9.2 %	13171	13164	7	0.1 %
7 / LOGAN	422	531	-109	-20.5 %	3091	2940	151	5.1 %
TODD	215	240	-25	-10.4 %	1622	1510	112	7.4 %
TOTAL:	637	771	-134	-17.4 %	4713	4450	263	5.9 %
8 / WARREN	2270	1907	363	19.0 %	12970	13089	-119	-0.9 %
9 / HARDIN	1517	1781	-264	-14.8 %	8081	8352	-271	-3.2 %
10 / HART	273	307	-34	-11.1 %	2107	1803	304	16.9 %
LARUE	169	176	-7	-4.0 %	1417	1392	25	1.8 %
NELSON	339	447	-108	-24.2 %	3924	3665	259	7.1 %
TOTAL:	781	930	-149	-16.0 %	7448	6860	588	8.6 %
11 / GREEN	170	203	-33	-16.3 %	1095	975	120	12.3 %
MARION	228	252	-24	-9.5 %	2796	2706	90	3.3 %
TAYLOR	347	449	-102	-22.7 %	2564	2665	-101	-3.8 %
WASHINGTON	107	112	-5	-4.5 %	1036	1129	-93	-8.2 %
TOTAL:	852	1016	-164	-16.1 %	7491	7475	16	0.2 %
12 / HENRY	238	200	38	19.0 %	1785	1737	48	2.8 %
OLDHAM	576	649	-73	-11.2 %	3425	4131	-706	-17.1 %
TRIMBLE	86	80	6	7.5 %	654	751	-97	-12.9 %
TOTAL:	900	929	-29	-3.1 %	5864	6619	-755	-11.4 %
13 / GARRARD	210	148	62	41.9 %	1538	1337	201	15.0 %
JESSAMINE	431	506	-75	-14.8 %	4215	3854	361	9.4 %
LINCOLN	281	305	-24	-7.9 %	2325	2344	-19	-0.8 %
TOTAL:	922	959	-37	-3.9 %	8078	7535	543	7.2 %

(CONTINUED)

COMPARISON OF PROJECTED VS. REPORTED CASELOADS FOR FISCAL YEAR 1979-80

TOTAL CASELOADS BY CIRCUIT/DISTRICT AND COUNTY

(CONTINUED)

CIRCUIT/DISTRICT AND COUNTIES	CIRCUIT COURT				DISTRICT COURT			
	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE
14 / BOURBON	273	301	-28	-9.3 %	3130	2982	148	5.0 %
SCOTT	361	362	-1	-0.3 %	4236	3900	336	8.6 %
WOODFORD	368	336	32	9.5 %	3580	2984	596	20.0 %
TOTAL:	1002	999	3	0.3 %	10946	9866	1080	10.9 %
15 / CARROLL	220	288	-68	-23.6 %	2462	2078	384	18.5 %
GRANT	247	257	-10	-3.9 %	3274	3456	-182	-5.3 %
OWEN	108	123	-15	-12.2 %	714	805	-91	-11.3 %
TOTAL:	575	668	-93	-13.9 %	6450	6339	111	1.8 %
16 / KENTON	2720	2965	-245	-8.3 %	17618	16985	633	3.7 %
17 / CAMPBELL	1429	1632	-203	-12.4 %	10030	10626	-596	-5.6 %
18 / HARRISON	239	256	-17	-6.6 %	1646	1717	-71	-4.1 %
NICHOLAS	73	100	-27	-27.0 %	976	739	237	32.1 %
PENDLETON	124	158	-34	-21.5 %	1132	1233	-101	-8.2 %
ROBERTSON	30	26	4	15.4 %	206	164	42	25.6 %
TOTAL:	466	540	-74	-13.7 %	3960	3853	107	2.8 %
19 / BRACKEN	96	120	-24	-20.0 %	714	874	-160	-18.3 %
FLEMING	180	150	30	20.0 %	1293	1311	-18	-1.4 %
MASON	326	332	-6	-1.8 %	2106	2178	-72	-3.3 %
TOTAL:	602	602	0	0.0 %	4113	4363	-250	-5.7 %
20 / GREENUP	726	737	-11	-1.5 %	5233	4494	739	16.4 %
LEWIS	207	227	-20	-8.8 %	955	1088	-133	-12.2 %
TOTAL:	933	964	-31	-3.2 %	6188	5582	606	10.9 %
21 / BATH	102	153	-51	-33.3 %	1080	1180	-100	-8.5 %
MENIFEE	74	94	-20	-21.3 %	491	728	-237	-32.6 %
MONTGOMERY	357	406	-49	-12.1 %	4736	3764	972	25.8 %
ROWAN	297	387	-90	-23.3 %	3279	3192	87	2.7 %
TOTAL:	830	1040	-210	-20.2 %	9586	8864	722	8.1 %
22 / FAYETTE	4814	5768	-954	-16.5 %	34422	51900	-17478	-33.7 %
23 / ESTILL	246	250	-4	-1.6 %	1410	1171	239	20.4 %
LEE	186	191	-5	-2.6 %	1101	1569	-468	-29.8 %
OWSLEY	130	150	-20	-13.3 %	891	1005	-114	-11.3 %
TOTAL:	562	591	-29	-4.9 %	3402	3745	-343	-9.2 %
24 / JOHNSON	650	594	56	9.4 %	3911	3639	272	7.5 %
LAWRENCE	347	297	50	16.8 %	2278	2173	105	4.8 %
MARTIN	341	358	-17	-4.7 %	1901	2105	-204	-9.7 %
TOTAL:	1338	1249	89	7.1 %	8090	7917	173	2.2 %

(CONTINUED)

COMPARISON OF PROJECTED VS. REPORTED CASELOADS FOR FISCAL YEAR 1979-80

TOTAL CASELOADS BY CIRCUIT/DISTRICT AND COUNTY

(CONTINUED)

CIRCUIT/DISTRICT AND COUNTIES	CIRCUIT COURT				DISTRICT COURT			
	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE
25 / CLARK	588	580	8	1.4 %	6048	6254	-206	-3.3 %
MADISON	803	926	-123	-13.3 %	13440	12167	1273	10.5 %
TOTAL:	1391	1506	-115	-7.6 %	19488	18421	1067	5.8 %
26 / HARLAN	865	955	-90	-9.4 %	9401	8793	608	6.9 %
27 / KNOX	610	612	-2	-0.3 %	3654	3849	-195	-5.1 %
LAUREL	755	788	-33	-4.2 %	5827	6000	-173	-2.9 %
TOTAL:	1365	1400	-35	-2.5 %	9481	9849	-368	-3.7 %
28 / PULASKI	827	770	57	7.4 %	6464	6182	282	4.6 %
ROCKCASTLE	242	289	-47	-16.3 %	1573	1617	-44	-2.7 %
TOTAL:	1069	1059	10	0.9 %	8037	7799	238	3.1 %
29 / ADAIR	231	209	22	10.5 %	1581	1558	23	1.5 %
CASEY	231	262	-31	-11.8 %	2299	2300	-1	-0.0 %
CUMBERLAND	177	150	27	18.0 %	1167	1191	-24	-2.0 %
MONROE	199	168	31	18.5 %	1533	1339	194	14.5 %
TOTAL:	838	789	49	6.2 %	6580	6388	192	3.0 %
30 / JEFFERSON	16489	16404	85	0.5 %	156935	185289	-28354	-15.3 %
31 / FLOYD	1027	1021	6	0.6 %	5807	6833	-1026	-15.0 %
32 / BOYD	1283	1728	-445	-25.8 %	6801	7775	-974	-12.5 %
33 / PERRY	703	764	-61	-8.0 %	5940	66[illegible]	-7[illegible]	-10.9 %
34 / MCCREARY	285	401	-116	-28.9 %	2912	3214	-302	-9.4 %
WHITLEY	757	826	-69	-8.4 %	4922	3929	993	25.3 %
TOTAL:	1042	1227	-185	-15.1 %	7834	7143	691	9.7 %
35 / PIKE	2111	2081	30	1.4 %	12403	11940	463	3.9 %
36 / KNOTT	361	317	44	13.9 %	2108	2945	-837	-28.4 %
MAGOFFIN	337	392	-55	-14.0 %	3956	3675	281	7.6 %
TOTAL:	698	709	-11	-1.6 %	6064	6620	-556	-8.4 %
37 / CARTER	391	383	8	2.1 %	2908	3143	-235	-7.5 %
ELLIOTT	122	131	-9	-6.9 %	705	638	67	10.5 %
MORGAN	212	196	16	8.2 %	1525	1175	350	29.8 %
TOTAL:	725	710	15	2.1 %	5138	4956	182	3.7 %

(CONTINUED)

COMPARISON OF PROJECTED VS REPORTED CASELOADS FOR FISCAL YEAR 1979-80

TOTAL CASELOADS BY CIRCUIT/DISTRICT AND COUNTY

(CONTINUED)

CIRCUIT/DISTRICT AND COUNTIES	CIRCUIT COURT				DISTRICT COURT			
	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE
38 / BUTLER	202	259	-57	-22.0 %	1273	1251	22	1.8 %
EDMONSON	183	181	2	1.1 %	1095	1044	51	4.9 %
HANCOCK	121	112	9	8.0 %	962	1140	-178	-15.6 %
OHIO	420	488	-68	-13.9 %	3501	3318	183	5.5 %
TOTAL:	926	1040	-114	-11.0 %	6831	6753	78	1.2 %
39 / BREATHITT	316	358	-42	-11.7 %	2936	1967	969	49.3 %
POWELL	205	194	11	5.7 %	2460	3273	-813	-24.8 %
WOLFE	127	104	23	22.1 %	1363	1289	74	5.7 %
TOTAL:	648	656	-8	-1.2 %	6759	6529	230	3.5 %
40 / CLINTON	163	176	-13	-7.4 %	1342	1903	-561	-29.5 %
RUSSELL	269	231	38	16.5 %	1950	2353	-403	-17.1 %
WAYNE	297	321	-24	-7.5 %	3203	2542	661	26.0 %
TOTAL:	729	728	1	0.1 %	6495	6798	-303	-4.5 %
41 / CLAY	555	620	-65	-10.5 %	3110	3792	-682	-18.0 %
JACKSON	162	169	-7	-4.1 %	1692	1895	-203	-10.7 %
LESLIE	310	325	-15	-4.6 %	1865	1960	-95	-4.8 %
TOTAL:	1027	1114	-87	-7.8 %	6667	7647	-980	-12.8 %
42 / CALLOWAY	612	583	29	5.0 %	2951	3338	-387	-11.6 %
MARSHALL	501	492	9	1.8 %	3382	3529	-147	-4.2 %
TOTAL:	1113	1075	38	3.5 %	6333	6867	-534	-7.8 %
43 / BARREN	672	727	-55	-7.6 %	5533	4459	1074	24.1 %
METCALFE	153	226	-73	-32.3 %	1043	860	183	21.3 %
TOTAL:	825	953	-128	-13.4 %	6576	5319	1257	23.6 %
44 / BELL	647	689	-42	-6.1 %	6064	6052	12	0.2 %
45 / MCLEAN	172	171	1	0.6 %	979	1025	-46	-4.5 %
MUHLENBERG	550	688	-138	-20.1 %	3699	4278	-579	-13.5 %
TOTAL:	722	859	-137	-15.9 %	4678	5303	-625	-11.8 %
46 / BRECKINRIDGE	280	233	47	20.2 %	1825	1942	-117	-6.0 %
GRAYSON	381	360	21	5.8 %	3151	3372	-221	-6.6 %
MEADE	241	241	0	0.0 %	2028	1724	304	17.6 %
TOTAL:	902	834	68	8.2 %	7004	7038	-34	-0.5 %
47 / LETCHER	576	683	-107	-15.7 %	3602	4178	-576	-13.8 %
48 / FRANKLIN	2169	2573	-404	-15.7 %	8374	9560	-1186	-12.4 %

(CONTINUED)

COMPARISON OF PROJECTED VS. REPORTED CASELOADS FOR FISCAL YEAR 1979-80

TOTAL CASELOADS BY CIRCUIT/DISTRICT AND COUNTY

(CONTINUED)

CIRCUIT/DISTRICT AND COUNTIES	CIRCUIT COURT				DISTRICT COURT			
	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE	PROJECTED TOTAL**	REPORTED TOTAL	DIFFERENCE (PROJ - REP)	PERCENTAGE DIFFERENCE
49 / ALLEN	242	240	2	0.8 %	1298	1366	-68	-5.0 %
SIMPSON	320	383	-63	-16.4 %	1979	1914	65	3.4 %
TOTAL:	562	623	-61	-9.8 %	3277	3280	-3	-0.1 %
50 / BOYLE	503	615	-112	-18.2 %	3791	3893	-102	-2.6 %
MERCER	348	340	8	2.4 %	2799	2402	397	16.5 %
TOTAL:	851	955	-104	-10.9 %	6590	6295	295	4.7 %
51 / HENDERSON	981	1072	-91	-8.5 %	7643	7006	637	9.1 %
52 / GRAVES	577	675	-98	-14.5 %	3584	2921	663	22.7 %
53 / ANDERSON	147	140	7	5.0 %	1863	1852	11	0.6 %
SHELBY	387	427	-40	-9.4 %	4696	2981	1715	57.5 %
SPENCER	101	103	-2	-1.9 %	701	557	144	25.9 %
TOTAL:	635	670	-35	-5.2 %	7260	5390	1870	34.7 %
54 / BOONE	969	971	-2	-0.2 %	8009	9619	-1610	-16.7 %
GALLATIN	77	93	-16	-17.2 %	1873	1902	-29	-1.5 %
TOTAL:	1046	1064	-18	-1.7 %	9882	11521	-1639	-14.2 %
55 / BULLITT	602	593	9	1.5 %	4740	4433	307	6.9 %
56 / CALDWELL	278	285	-7	-2.5 %	2174	1797	377	21.0 %
LIVINGSTON	156	155	1	0.6 %	1270	1283	-13	-1.0 %
LYON	192	229	-37	-16.2 %	1463	1318	145	11.0 %
TRIGG	197	170	27	15.9 %	1110	1125	-15	-1.3 %
TOTAL:	823	839	-16	-1.9 %	6017	5523	494	8.9 %
STATEWIDE TOTALS	76277	80773	-4496	-5.6 %	599149	646459	-47310	-7.3 %

** /ROJECTED CASE FILINGS ARE PRIMARILY LINEAR PROJECTIONS BASED ON CORRECTED CASE FILINGS DATA DATING BACK THROUGH 1972. FISCAL YEAR PROJECTIONS WERE OBTAINED BY ADDING TOGETHER ONE-HALF OF THE PROJECTED CASELOAD FOR EACH APPLICABLE CALENDAR YEAR.

APPENDIX F

State of the Judiciary

STATE OF THE JUDICIARY ADDRESS

To the General Assembly of Kentucky

By John S. Palmore, Chief Justice
Commonwealth of Kentucky
January 24, 1980

INTRODUCTION

Once again it is my great privilege, as Chief Justice, to appear before the General Assembly for the purpose of reporting on the state of the judiciary, its problems and its prospects.

Two years ago the unified judicial system mandated by the 1975 constitutional amendment was very much in its infancy. At the special session in 1976 the General Assembly had made a monumental effort to meet the challenge of enacting the statutory adjustments necessary to its successful implementation. Finishing touches were enacted in the 1978 regular session. Meanwhile, on January 1, 1978, the massive transfer of business from hundreds of county courts, magistrate's courts and city police courts to the new district court had become a reality, and the 120 circuit court clerks had assumed the responsibility for the district courts as well. From the standpoint of public and political impact, this transition was the most important and most difficult phase of the entire undertaking. It was much akin to the launching of a great vessel, newly fitted out and manned by an untried crew.

Now we have undergone the rigors of the shakedown cruise, and the time has come to assess the seaworthiness of our craft. Right off, let me assure you of this: she has weathered a stormy sea, and she will float. The question to be addressed now is what can and should be done to make her more efficient. As in the instance of those great old clipper ships which sailed around the horn and brought fame the world over to their yankee builders, the object of the whole effort is to bring the tea home from China, to get the job done safely and promptly - in a word, to satisfy the customers.

You will not be interested in hearing a recitation of dry statistics and boresome details, nor will time allow it. Each of you has received a voluminous report documenting the operation of the entire system during the calendar year 1978, and you are invited to leaf through or to study it as the spirit moves you. You are welcome also, both now and at any other time, to request such further information or clarification as you may desire. My office and our administrative offices are open to you, and nothing will be obfuscated or concealed from your scrutiny.

The annual report for 1979, of course, has not yet been put together, but most of the figures for the first 11 months of the year are in and will be made available to you as required. So, too, has a budget been prepared, and it is ready for your consideration.

We have during this biennium succeeded in living within the budget you prescribed for us (with some help from the then Governor) in 1976. This experience has laid to rest the fears of many, and the hopes of a malevolent few, that the new court system would be a financial disaster. As you know, it did not require one cent of additional taxes to finance it. It represented, in round figures, only 1% or so of the total amount of expenditures budgeted for the entire government of the state.

Had it not been for the continuing and increased inroads of inflation, which is, of course, a national disaster, we could have come before you today with only the most modest of requests for additional funding. We would have needed an increase in pay for district judges and trial commissioners, a reasonable increase in the number of trial judges, an upward adjustment in the amount of rental allowance to the counties for the use of their courthouse facilities, and a little more liberal provision here and there for additional personnel, educational programs, equipment and various housekeeping necessities, but none of this would have had a serious fiscal impact were it not for the ravaging effect of the inflationary spiral. And we must not be deluded. This problem is all the more deadly by reason of the grim fact that there is no end in sight. In our efforts to deal with it today we simply have to face the realization that whatever we do, and whatever relief we are able to devise, it is likely to be only temporary. Not only is our target moving - it moves faster and relentlessly by the hour.

THE DISTRICT COURT

The subject of principal interest and, indeed, anxiety, with which we have been concerned during the past two years has been the operation of the new district court. Though originally it had been estimated that 134 judges would be required, we got 114. It had been our recommendation also that their annual salary be fixed at $33,000, so that the difference between their compensation and that of the circuit judges would be the same as between the other levels of judges in the system. This figure, however, after having been reported favorably by an Interim Joint Committee of the General Assembly in 1976, was whittled to $27,500. Whatever may be your viewpoint today with regard to the appropriateness of these reductions, if my memory serves me correctly I suspect that the decisions were made neither in our chambers nor in yours. But that was another day and time. The world moves on.

In 1978 the workload of our 114 district judges amounted to almost 600,000 cases, an average of about 5,000 per judge. The average disposition, or clearance rate, was 80%, ranging from 90% in one district to 50% in another, depending upon the respective amounts of overload in the various districts. The greatest overload occurred in Franklin County, in which one judge, in a superhuman effort, cleared 5,700 out of 7,800 cases coming before him. That kind of performance cannot be expected of the average judge. Only in 13 districts have the judges been able to clear a total of 5,000 cases per judge in one year. A careful analysis leads us to the conclusion that in order to avoid a continuing build-up of pending cases it is necessary that provision be made for 22 additional district judges. This necessity has been certified to you as provided by the Constitution.

THE CIRCUIT COURT

The workload of our 87 circuit judges in 1978 totalled some 65,000 cases, averaging 744 per judge, with an overall clearance rate of 91%. The greatest volume occurred in Christian County, with 1,275 new cases filed. The Knox-Laurel, Clark-Madison, and Johnson-Lawrence-Martin circuits were close behind, each with one judge and each with a volume of more than 1,000 new cases per year. These four circuits are those in which we have certified the necessity for additional circuit judges. Other circuits, such as Warren County, with a volume of

981 new filings per judge, and Floyd County, with 972, are almost equally in need, and undoubtedly will require additional judgeships when the General Assembly convenes in 1982. In this connection, our statistics indicate that during the calendar year 1979 the increase in number of cases filed in circuit court will approach 20%.

In considering the workload of the circuit judges it should not be overlooked that in 18 circuits some of the work of the court is done by domestic relations and other special commissioners. In Jefferson County, for example, there are 10 appointed domestic relations commissioners. They are members of the practicing bar. The cost of their services is assessed against the litigants. By contrast, the judges of the Fayette Circuit Court handle domestic relations cases without the help of commissioners. The use of commissioners in some circuits and not in others makes a close comparison of work performance virtually impossible. In any event, the members of the Supreme Court have concluded that the institution of the domestic relations commissioner, or any other commissioner who does judicial work for an elected judge on a part-time fee basis, is unsound and should gradually be phased out of existence through a natural process of attrition. It is our philosophy that if a judge has more work than he is reasonably able to do, that which he cannot do himself should be done by another judge. Consistent with this policy, in those circuits wherein the General Assembly provides for an additional judge the courts will be expected to operate without domestic relations commissioners.

I have referred to the 91% disposition-rate of cases filed in the circuit court. It should be understood that this figure is to some extent inflated by reason of the fact that in several circuits the judges have purged a great deal of dead wood from their dockets by dismissing old and inactive cases. Thus the figures that will be studied by your legislative committees will in some instances reflect a clearance rate of more than 100%, as, for example, in Hopkins County, where in 1978 it was 207%.

REGIONAL ADMINISTRATION

Those of you who served during the 1978 session will recall that we had just instituted a pilot project of regional administration in which several circuits

were combined into two regions for the purpose of distributing the workload more evenly among the available judges in the region. In simple terms, the object was to make more efficient use of manpower by temporarily assigning judges with lighter workloads to help those whose volume of work was greater than they could currently handle. This plan has been very successful, and it has now been extended throughout the state for the circuit courts and established in three regions for district courts. As you are well aware, redistricting always has been a thorny political problem, and often it has proved to be quite wasteful. The assignment of judges whose volume of business is less than average to assist in the disposition of business pending before judges whose dockets are excessive has greatly alleviated that perennial problem. Since the beginning of 1978, 504 cross-assignments have been made among circuit judges and 144 among the district judges.

THE APPELLATE COURTS

Both of the appellate courts, the Court of Appeals and the Supreme Court, have remained reasonably current in the disposition of cases ready to be heard. In the calendar year 1979, 2,046 appeals and original actions were filed in the Court of Appeals and 1,989 were decided. The Chief Judge of that court estimates that the existing backlog represents about three months' work. There will be no need for additional judges during the next biennium, but only if there is no legislation increasing the volume of work. For example, last year 771 appeals were taken from the Workmen's Compensation Board to the circuit courts, and 249 were taken from the circuit courts to the Court of Appeals. In the event of legislation designed to by-pass the circuit courts, presumably 500 or so of the compensation cases that now end in circuit court will go to the Court of Appeals. That represents the work capacity of five to six additional appellate judges. If, therefore, such a change is made at this session, it will be necessary for us to certify a necessity for more appellate judges.

The Supreme Court during 1979 received 240 appeals, nine original actions, and 22 bar association disciplinary proceedings. It handed down 224 opinions disposing of 258 cases. As of December 31, 1979, 30 cases were ready for oral argument and 27 cases previously argued had been assigned to the members of the Court for preparation of opinions. We entertained 470 motions for review of

Court of Appeals decisions, granted 123, and denied 320. The others are on the current docket. Roughly 800 motions of various kinds were heard and decided. Our house is in reasonably good order.

THE PROBLEM OF DELAY IN THE COURTS

Before leaving the subject of judicial manpower requirements, which, as you probably are aware, is a matter of intensive and continuing research and study by the Administrative Office of the Courts, I want to offer this, my own view of the over-all perspective. When you have a flat tire and seek the assistance of a garage or service station, the job is done within a matter of minutes. When you need a doctor it takes a little longer. But when you have a legal problem of a civil or non-criminal nature that requires a court to resolve it, ordinarily it takes months or years of time, worry, expense and frustration. Why is this? Why cannot we have more prompt decisions from the courts? As I see it, there are two major causes for delay in the courts. One is that there is an overabundance of procedural options and safeguards, all of which are well-intended and exist for the purpose of making certain that each litigant has an ample opportunity to develop and present his side of the controversy. During my 40 years or so as a lawyer and judge, however, I have witnessed the proliferation of all this hocus-pocus to a point beyond the endurance of the ordinary man or woman who happens to be caught in the toils of a civil lawsuit. Thus it is that he dreads the very thought of courts and lawyers, and if something isn't done to reverse this process he will sooner or later find other ways and means of relief outside of the judicial system. So I have today requested the Judicial Council, with the aid of our administrative staff, to undertake without delay a thorough analysis of the processes by which civil lawsuits are begun, practiced and ended, for the purpose of seeking out and eliminating all sources of delay and expense that are not absolutely necessary to the achievement of justice and due process. Many, if not most, of the cases handled in district court are just as important to the parties involved as are those that are handled upstairs in the circuit court. Yet they are processed much more promptly, mainly because they have to be. I am not at all convinced that the additional time required to process the average case through circuit court results in that much more real justice. So we shall try to find out, to the end that the general public may have easier and cheaper access to the services of their own

courts. And in this effort I intend also to broach the issue to the legal profession itself, which in my opinion bears a heavy share of responsibility, both for the existing situation and for its rectification.

The other major reason a civil lawsuit can't be handled as promptly as a flat tire is one that is universally overlooked. It is the simple truth that we don't have enough judges - never have had, never will have.

In any business, whatever it may be, prompt service depends on the availability of enough people to wait on the customers. The existence of appointed commissioners in the circuit courts, for example, results from a historic unwillingness to provide enough judges to do the work. Other ways had to be found in order to shore up the deficiencies instead of meeting the problem directly. And in this, I submit to you, the losers have not been the judges, or the lawyers - the loser has been the public. The solution is directly analogous to the relationship between crime and the police. There never have been enough policemen, and I doubt that there ever will. But to the extent that there are not, we pay for it in the volume of crime we suffer. So it is with the courts. So long as we do not have enough judges - and I mean good judges, qualified judges - we will pay for it in the form of public dissatisfaction with the kind of service we get from the courts.

COURT FACILITIES

Two years ago, and for some time thereafter, much friction existed between the Court of Justice and a number of county judge-executives and fiscal courts. Indeed one of our district judges had found it necessary to open his court in a tent. Today, happily, I can report to you that this no longer seems to be a serious problem. We have experienced a high degree of cooperation and understanding from the officers of the Kentucky Association of County Officials and of the County Judge-Executives Association. We now approach our problems together, with mutual respect and confidence that reasonable men and women can work out their differences without hostility.

One of the circumstances that brought about this healing of wounds was a fine piece of legislation enacted by the 1978 General Assembly, the court

facilities bill, under which the various counties and cities are paid rent and maintenance costs for the space in their buildings that is occupied by the courts. Here again, however, the evil current of inflation has eroded our banks. We had thought that a return of 4% on capital invested in public buildings would be a sufficient contribution to encourage the construction of new and expanded facilities, but the cost of borrowing money today has far outstripped that prospect. In order, therefore, to revitalize it, and at the same time provide more fair a return to the local governments, an amendment to the court facilities act has been prepared and introduced as Senate Bill 104.

During the present biennium the amount budgeted for local facilities has been roughly $10 million. The additional amount required by Senate Bill 104 for the next biennium will be about $2 million. The main feature of this amendment is that it gives a measure of relief from prevailing interest rates to a local government that borrows money to provide more or better facilities for the courts. For more reasons than one, your continuing support of this wholesome program will be an investment of great and lasting value.

PRETRIAL RELEASE

Four years ago the General Assembly enacted legislation abolishing the professional bail-bond system and establishing a pretrial release program to be administered through the courts. This was one of the greatest and most progressive improvements ever made by any legislative body in the field of criminal justice. It is the envy of every other state in the union. Many judges and legislators from other states have made inquiries and have visited this state to observe and learn about our pretrial release system. In recognition of its success, and of Kentucky's enlightened leadership in the field of bail reform, a National Symposium on Pretrial Services was held in Louisville last year. Other states are now in the process of instituting similar programs. In administering our own, we have been fortunate in having a group of capable, dedicated people to do the job. In fiscal year 1979 they interviewed nearly 105,000 persons, about 60% of whom were released without the posting of oppressive bonds. Less than 5% of those released without bond have jumped bail. Our pretrial people also have handled other responsibilities, such as preparing warrants in some counties and carrying out

pretrial mediation programs. We do not have the time, on this particular occasion, to elaborate on the excellence of this program and the performance of our pretrial personnel, but you may rest assured that your work in 1976 was not in vain. The pretrial release program is a shining success, of which you have every right to be proud.

CONTINUING EDUCATION FOR THE JUDICIARY AND CLERKS

During the past two years an intensive effort has been made to upgrade the quality of performance of our judges and clerks. 108 judges have attended out-of-state schools and nearly all of the judges have attended annually one or more in-state educational sessions arranged by the Administrative Office of the Courts. Eleven circuit clerks have attended out-of-state schools and nearly all personnel of the circuit clerks have attended training sessions conducted by the Administrative Office of the Courts in the course of the past two years. In addition, there has been a total attendance of 933 clerks and judges at regional meetings designed to improve their performance. We have had remarkable interest and cooperation on the part of all these clerks and judges, reflecting a wholesome desire to do a better job for the people they serve.

JUDICIAL COMPENSATION

Once more I am compelled to bring up the nasty subject of inflation. To use one illustration, in 1976 the annual salary of circuit judges was fixed at $35,000. They were satisfied with that figure. But in 1979 the purchasing power of that salary had been reduced to $26,205. For 1980 it will have been reduced to $21,490. Turned around the other way, it would require a salary of $48,510 in 1980 to equal the purchasing power of $35,000 in 1976. A similar crunch exists for all of the judiciary up and down the line. I know you are aware of the problem, but I cite these figures because there may be some of you who do not realize just how bad it is. I won't bore you with more details. You have had placed on your desks today a summary of pertinent salary information that I believe will be of great interest to you. I ask you to look it over carefully and give us a fair shake.

One salary bill has already been placed before both Houses, and another will be introduced very shortly. They both approach the problem in terms of cost-

of-living increases, with one difference. As I have mentioned earlier, the salary originally recommended for district judges was $33,000. That figure was scuttled in favor of $27,500, which placed the district judges $7,500 below circuit judges, whereas the salary spread between all other levels of the judiciary is $2,000. The bill that has been introduced reduces this separation to $5,000 by raising the base pay of district judges to $30,000, effective January 1, 1982, when the next term of office begins. The other bill, which has not yet been introduced, would raise the base pay of district judges to $33,000, effective for the term of office beginning in 1982. Under each of the respective proposals the base figure would be adjusted upward to compensate for the increased cost-of-living experienced since 1976.

If we are to have an efficient and effective judiciary, we simply must have good morale. That is true, of course, for any organization of people. I know that some of you have not been, and may not now be, sympathetic to the desire of the district judges to have this difference between their salary and that of the circuit judges placed on a parity with the existing scale of differences separating the other levels of the judiciary. I only ask you now to hear me out. Let me plead the case for the district judges.

In the first place, the $27,500 salary was always too low, regardless of its comparative relationship to the salary of circuit judges. Already we have lost 11 district judges, at least six of them for financial reasons. On several of those occasions we have been able to find only one person willing to apply for the job. Without financial relief there is no question that we will lose a good many more, and that right soon. Worse still, when election time rolls around next year I am afraid that in many districts there will be no candidates, and if no one is willing to run it follows that neither would anybody accept an appointment to fill the vacancy. In other districts only the most poorly qualified will be available. What this means, in plainer terms, is that just as it would be constitutionally impermissible to eliminate an office by failure to provide any compensation for it, so would it violate the constitution to destroy a judicial office by means of financial starvation. The present salary of district judges simply does not meet the express constitutional mandate that they be given adequate compensation.

With respect to the $7,500 spread between the salaries of district and circuit judges, it is true of course that district judges need not possess (though

nearly all of them actually do) quite the same qualifications required of circuit judges. On the other hand, their job is infinitely more onerous. For one thing, they must run for office every four years, while the term of a circuit judge is eight years. They hold hearings and trials every day, and deal with the most distasteful kinds of cases. They are called upon at all hours of the day and night to issue warrants and to advise police authorities on the necessity of warrants. More people pass through their courts than pass through any other courts in the Commonwealth. Public opinion of the judicial system as a whole depends more on their performance than it does on the rest of the judges put together, simply because more people are affected by their judgments. Frankly, I am not at all sure that there should be any difference at all between their salary and that of the circuit judges. Though they need not have the same qualifications, it is they who must endure the drudgery, and theirs is the more difficult job.

We have seen now for two years what kind of a job they have done. No man or woman, or any set of men and women, is perfect. In a rare few instances a district judge has been something of a disappointment, but on the whole this group of district judges has brought to the people of Kentucky a degree of even-handed justice that has never existed before, in this or any other state. It is through the sheer force of their excellent performance, under critical public scrutiny, that some who yesterday were attempting to promote a constitutional amendment to abolish the district court have now turned their attention to the Ayatollah Khomeini instead. In short, every indication of which I am aware is that the public in general much prefers this kind of court to what we had before.

You all know how difficult it has always been to persuade the voters of Kentucky to adopt a constitutional amendment affecting the machinery of their government. The 1975 Judicial Amendment was a historic milestone. In 1979 the people adopted another amendment, releasing the General Assembly from restrictions which had limited its freedom and authority since 1891. Though I cannot prove it with documentary evidence, I strongly believe that the satisfactory results of the Judicial Amendment broke the ice for the 1979 amendment which set the General Assembly free. Look at it this way: if the district court had proved to be a shambles, do you really think the people would have adopted another amendment last year? I seriously doubt it. Let me say it again - these men and

women who have run the district court for the past two years have really put their shoulders to the wheel for all of us. They have done a magnificent job, and I for one am proud of them.

I do not want to see them demeaned any longer. So long as they are, we will have growing dissatisfaction and friction within the judicial system, and it will not perform as well as it ought to run. The issue will come up again and again until the source of the problem is finally eliminated. Let us, instead, do it now.

Also trapped in the crunch of inflation are those judges who have retired. That they be given relief is of equal importance with what must be done for judges still in active service. The average pension drawn by retired judges today is 75% of their average salary for the last five years of their service. And that five-year period for every one of them was a period in which the dollar was worth a great deal more than it is worth today. The average judge who retired 10 years ago is now drawing only 32½% of current salary. The average widow's pension is but 13½% of present salary. An Act designed to effect a modest adjustment for the protection of these people has been prepared and will be introduced for your consideration, and an information sheet explaining it has been placed on your desks today. Please, I beg of you, read it carefully. Do not let those who served us faithfully in the past, and are now powerless and without political influence, be washed down the drain.

THE JUDICIAL BUDGET

We fully appreciate the position in which the members of the General Assembly find themselves in attempting to finance the operations of government with dollars cheapening by the moment and constituents who want the same services at the old prices. Mindful of this, we have sought to achieve economies wherever possible. For example, with the cooperation of the Court of Appeals the clerk of that court has been appointed as clerk of the Supreme Court also, eliminating a salary of $22,000. Likewise, the separate administrative office of the Court of Appeals has been brought under the Administrative Office of the Courts, eliminating another major salary of $32,000. All merit increases for the personnel of the courts have been suspended since November of 1979. Though our

proposed budget was submitted to your A & R Committees some time ago, I have instructed our Administrative Director to continue analyzing and refining it to cut it down wherever possible. Even so, substantial increases over the budget for the current biennium are inevitable.

In his recent address to the General Assembly the Governor spoke of priorities. I, too, would like to invite your attention to priorities. We have learned from life that the three essentials of human survival - and they are essentials, not priorities - are food, clothing and shelter. So, too, for the survival of a democratic government there are three essentials, and again they are not to be confused with optional priorities: they are the legislative, executive, and judicial branches of government. Each of these must be financially supported to the point that it is able to function effectively. This is fundamental, and this necessity should not be viewed in the context of other programs and priorities. It is not, or at least ought not be regarded as, a matter of choice.

There is a bare minimum without which you, the legislative branch, cannot function successfully. There is a bare minimum without which we, the judicial branch, cannot function effectively. And there is a bare minimum without which the executive branch cannot function properly, but in the history of this state the power of the executive has been such that it has never before become necessary to consider the existence of such a minimum. It was buried alive generations ago, within the vast amount of money expended through the executive branch of government there are, of course, countless programs that must be assessed in terms of priority, but let us not permit the basic necessities of government, including yours and ours, to be thrown into the pot and sifted along with these optional programs, however important and desirable they may be. You are anxious to preserve the degree of independence for which you have long fought and have now achieved. We are anxious to preserve ours as well. Do not let either be frittered away by confusion as to what comes first.

CONCLUSION

In my first address to the General Assembly, two years ago this day, I expressed the hope for a new day in the relationship between the members of our

respective branches of government. That hope, I think, has become a reality. Most of you know that the door to my office is open and that there you will be welcome and be given any information and assistance I have at my disposal. Aside from those few matters that are necessarily of a confidential nature there is no information in our offices that you cannot have if you let us know you want it. Neither I as Chief Justice nor the other members of the court feel that our dealings with the legislative representatives of our own people should be conducted in the style of a poker game or in the atmosphere of a Damascan marketplace. We choose, rather, to play our cards face up, with implicit confidence that you will respect our credibility and give reasonable weight to our advice and judgment.

I trust that you will grant me the indulgence of closing on something of a personal note. As a member of the judiciary I will, of course, benefit personally from whatever is done to relieve the financial condition of the judges. I hope that none of you will think or suspect that the remarks I have made today have been motivated to any extent by personal considerations. As I said earlier, I have been in public life for more than 40 years, except for two periods of active duty in the United States Navy. I have been elected to public office seven times. I have served as a city prosecuting attorney, city attorney for two different cities, Commonwealth's Attorney, and 20 years as a member of the highest court of the state. For all of this I have a deep sense of gratitude, of obligation, to the people who have been so good to me, and have given me their trust and confidence. I find the office of Chief Justice distasteful in many aspects. It really isn't my "thing." But I see in it the chance to give back a little of what has been given to me through the years. I want to make the greatest contribution within my limited ability to the development of a judicial system that will be a source of satisfaction and pride to the people of this state - no more and no less. We already have a good system, perhaps indeed the best in the country. But we still have a long voyage before the ship is home. It will be an exciting journey. Come with me!

APPENDIX G

Summary of Legislation

Kentucky General Assembly

1979 Extraordinary Session
and
1980 Regular Session

1979 EXTRAORDINARY SESSION
KENTUCKY GENERAL ASSEMBLY
SUMMARY OF LEGISLATION OF INTEREST
TO THE COURT OF JUSTICE

Senate Bills

SB 5 An act relating to jails. Raises the dieting fees to jailers from $5.75 to $6.75 per day, and provides that the unit of government whose law, statute, ordinance or code a prisoner is charged with or convicted of violating shall be responsible for paying the fee. An emergency clause is attached and the law became effective February 13, 1979.

SB 11 An act relating to fraud. Creates new provisions to and restructures the old provisions of the "welfare fraud laws" to create certain classes of offenses which are Class A misdemeanors "unless the sum total of benefits received in excess of those to which the person was entitled at the time the offense was committed is valued at over $100, in which case it is a Class D felony." The bill also creates other new Class C and D felony offenses. Effective February 10, 1979.

House Bills

HB 7 An act relating to the provision of office space for probation, parole and conditional release officers. Repeals KRS 439.520, which provides that fiscal courts supply suitable office space for probation, parole and conditional release officers. Effective May 12, 1979.

HB 49 An act relating to court costs. Provides that court costs for a criminal case in district court shall be $20. It additionally provides that there shall be no court costs for parking citations when the fine is prepaid, or if the citation does not involve parking in a fire lane or blocking the traveled portion of the highway. Effective May 12, 1979.

HB 50 An act relating to jails. Provides that medical expenses of indigent prisoners lodged in the county jail shall be paid by the unit of government whose law, statute, ordinance or code is violated. The bill defines condition under which medical care may be administered, and further provides that prisoners who are later determined not to have been indigent, or who at the time following treatment are no longer indigent, may be required to repay the costs of medical care. Effective May 12, 1979.

HB 51 An act relating to fines, court, and related costs. Fines on traffic and moving violations are reduced by $5.00; sets the court costs on criminal cases in district court on all prepayable offenses at $15.00 rather than $10.00, and retains $20.00 court costs when a court appearance is made. Repeals KRS 142.030, $3.50 tax on criminal convictions; and KRS 142.040, $3.50 docket fee. Amends 431.530(5) to provide that when a defendant satisfies conditions of release and charges are dropped or dismissed, that all monies deposited by him or a third party shall be returned. Monies deposited by a third party shall not be used for public defender services, satisfaction of fines, payment of attorneys unless agreed to by the poster of the bond. Effective July 1, 1979.

HB 53 An act relating to net court revenue return. Amends KRS 24A.191 to provide that the department of finance shall not deduct money from base court revenue for keeping and dieting of prisoners or for reimbursement for medical bills of prisoners confined in the county jail. Effective May 12, 1979.

HB 68 An act relating to state and local government. Pertains to the county budgeting procedure, but creates a new section of KRS Chapter 65 which allows the Court of Justice to expend funds necessary to insure circuit clerks and their deputies against any liability arising out of an act or omission committed in the scope and course of performing legal duties. Effective May 12, 1979.

1980 REGULAR SESSION
KENTUCKY GENERAL ASSEMBLY
SUMMARY OF LEGISLATION
OF INTEREST TO THE
COURT OF JUSTICE

Senate Bills

SB 42 An act relating to child custody. Creates new sections of KRS Chapter 403 to enact the Uniform Child Custody Jurisdiction act, and define and enumerate terms under which court has jurisdiction. Allows foreign custody orders to be altered by Kentucky courts, and vice versa, when the foreign state has a similar law.

SB 59 An act relating to juvenile session of district court. Provides that a child placed on probation or supervision may remain subject to the jurisdiction of the district court to age 19 for the limited purpose of making state and federal educational programs available to him. Same provisions apply to a child under commitment or placement by order of the court. Right to counsel for juveniles in cases involving sentence of detention.

SB 100 An act relating to fiduciary sales of real estate. Simplifies and codifies the procedures for the sale of real estate by a guardian, committee, administrator or trustee. Provides for motion and hearing in district court; grants the judge flexibility of decisions on grounds for relief, findings and re-investment matters. Creates new KRS Chapter 389A and repeals KRS Chapter 389.

SB 102 An act relating to compensation of active and retired public officials, and making an appropriation therefor. Raises the salary of judges of the Court of Justice as follows: district judges, $38,500; circuit judges, $45,000; Court of Appeals, $47,000; Supreme Court, $49,000. Allows 6% cost-of-living increment in fiscal year 1981-82. Gives circuit clerks $2,000 increase, with annual cost-of-living increment not to exceed 6%. Amends judicial retirement system to provide that future judges of the Court of Justice will receive benefits amounting to 2.75 percent of final compensation, and establishes a legislative retirement plan. Establishes a legislative compensation commission, and provides for salary increases for legislators effective January 1, 1984.

SB 119 An act relating to criminal prosecutions. Requires the Attorney General, within the 48th Judicial Circuit, to prosecute cases involving unlawfully obtained state money or property. Does not change existing venue provisions in the statutes.

SB 135 An act relating to motor vehicle operators' licenses. Prohibits persons requiring corrective lenses who use a compound lens system in both eyes from obtaining a drivers license.

SB 141 An act relating to trial courts. Creates additional judgeships in the 3rd, 24th, 25th and 27th judicial circuits; and in the 4th, 10th, 15th, 24th, 34th, 40th, 41st, 48th and 50th judicial districts.

SB 148 An act relating to motor vehicle operators. Establishes a driver improvement program for traffic offenders within the Department of Transportation, and allows district court to sentence offenders to such program and no other in lieu of assessment of fines. Provides for a $15 fee to defray cost of operation.

SB 214 An act relating to the treatment and rehabilitation of alcoholics and persons intoxicated or incapacitated by alcohol. Decriminalizes alcoholism. Provides for immediate treatment of alcoholics upon proper judicial order, and places responsibility for treatment in the Department for Human Resources. Effective July 1, 1982.

SB 227 An act relating to criminal history records. Permits sealing of police records of innocent persons. Allows the court, upon application, to order law enforcement agencies in possession of such records to segregate the records. Does not affect court records.

SB 249 An act relating to estate and probate matters. Amends various statutes relating to probate, and creates a new section to be cited as the uniform disclaimer of transfers under nontestamentary instruments section. The bill was a recommendation of the Probate Committee of the Kentucky Bar Association.

SB 277 An act relating to crimes and punishments. Makes various amendments to the penal code relating to automobile theft and damage of property.

SB 278 An act relating to detention facilities and raising revenues therefor. Increases court costs in criminal cases in district court by $5 for the sole purpose of defraying the costs of operation of the county jails.

SB 288 An act relating to judicial retirement. Allows service credit in the judicial retirement system for time spent as a special circuit judge.

SB 302 An act relating to fiduciaries. Allows fiduciaries to invest funds in certificates of deposit and savings accounts insured by the federal deposit insurance corporation and in U.S. government securities.

SB 309 An act relating to juveniles. Establishes the Kentucky Unified Juvenile Code. Provisions are made in the following areas: abuse, neglect or dependency actions; voluntary or involuntary termination of parental rights proceedings; status offenders; children committing public offenses; youthful offenders; and treatment of mentally disordered children in hospitals and residential facilities. The bill will not be effective until July 1, 1982.

SB 363 An act relating to the board of claims. Amends KRS 44.140 to allow appeals by state agencies of awards of the board of claims in excess of $500, and direct that appeals be taken to the circuit court of the county where the hearing was conducted. Proceedings over $500 are appealed to circuit court and under $500 in district court. Copies of complaint and filing are to be served on the attorney general.

House Bills

HB 42 An act relating to divorce. The 60 day waiting period for testimony in divorce cases applies only in cases where there is a controversy where minor children are involved.

HB 66 An act relating to traffic offenses. Requires issuance of citation in certain traffic and misdemeanor cases, allows arrest in other cases under specified conditions.

HB 85 An act relating to kidnapping. Provides that kidnapping is a Class B felony when the victim is released alive and in a safe place prior to trial; a Class A felony if the victim is released alive but has suffered serious physical injury; and a capital offense when the victim is not released alive or when the victim is released alive but later dies as a result of various enumerated circumstances.

HB 86 An act relating to domestic abuse. Provides for warrantless arrest, based upon probable cause of any person who wantonly causes physical injury to his spouse, parent, grandparent, child or stepchild.

HB 87 An act relating to domestic relations. Creates a new section of KRS Chapter 403 to allow an abused spouse to file a petition to seek protective orders for self, children, or stepchildren in a court of general jurisdiction.

HB 88 An act relating to crimes and punishments. Repeals and re-enacts various sections of the statutes. Necessary amendments were made to permit the statutes to conform. No substantive changes in the law.

HB 94 An act relating to real property. Prohibits a testator from defeating the right to the entirety by survivorship where a conveyance or devise expressly creates a mutual right to the entirety by survivorship in real estate between husband and wife.

HB 130 An act relating to the small claims division of district court. Raises the jurisdiction of small claims court from $500 to $1,000.

HB 182 An act relating to work on Sunday. Allows cities, counties, and urban county governments to put to a vote of the people a proposition to permit retail sales and activities on Sunday. A petition signed by 25% of the voters who voted in the last general election must be submitted before the proposition is eligible to be placed on the ballot.

HB 211 An act relating to operators' licenses. Provides for a four year drivers' license. Raises fee to $8.00, and dedicates 50 cents of each license fee to drivers' education and 50 cents to county road fund.

HB 229 An act relating to committees for incompetents. Allows the court to waive the posting of surety by a duly appointed committee, if the committee is composed of a member or members of the incompetent person's immediate family.

HB 280 An act relating to civil and probate jurisdiction. Permits execution levy on real estate in enforcement of judgement of district court.

HB 316 An act relating to crimes and punishments. Provides that a person is guilty of theft of services when proof is offered that utility meter devices have been altered, tampered with or bypassed, or service has been reconnected without authorization. Such proof shall be prima facie evidence of the intent to commit theft of service.

HB 356 An act relating to child custody. Allows the court to grant joint custody to the parents if in the best interest of the child.

HB 385 An act relating to trusts and estates. Permits the court in court-ordered sale of realty of infants or persons of unsound mind, to order sale proceeds to be invested in any investment which the court deems appropriate and prudent.

HB 389 An act relating to controlled substances. Includes phencyclidine (angel dust) as a schedule I controlled substance rather than a schedule III controlled substance and establishes penalties therefor. Increases penalties for selling or possessing with intent to sell LSD.

HB 392 An act relating to crimes and punishments. Creates the offense of possession of a device for theft of telephone service.

HB 415 An act relating to reparation for property stolen or damaged. Requires that any person convicted of a misdemeanor or felony for taking, injuring or destroying property shall restore the property or make reparation in damages if not ordered as a condition of probation.

HB 424 An act relating to the provision of attorneys for the defense of persons in civil and criminal cases. Redefines indigency for the purposes of appointment of counsel. Creates a new section to require parents to pay the costs of attorney fees for defending minor children in court.

HB 433 An act relating to state employes. Allows state employes to use up to six months of accumulated sick leave for additional retirement service credit.

HB 448 An act relating to mortgages and liens. Gives liens authorized by real estate mortgages priority over all others except under specified conditions.

HB 500 An act relating to drivers' education programs. Permits any person who has had no previous conviction for violation of KRS 189.520 and who has refused to submit to a chemical test may apply to a district court for permission to enter a drivers' education program. If he fails to satisfactorily complete the program, he is subject to having his license suspended for six months.

HB 518 An act relating to state personnel. Deems service as an elected state official to have been full-time state service for the purpose of the entitlement to and accumulation of annual and sick leave days by state officers and employes who are subject to regulations governing the classified and unclassified service.

HB 532 An act relating to workmen's compensation. Amends various sections of KRS Chapter 342 relating to workmen's compensation.

HB 645 An act relating to court duty. Prohibits employers from discharging employes required to make court appearances, provided the employe gives notice; establishes penalties.

HB 647 An act relating to powers of the Commissioner of the Department of Labor. Amends KRS 336.060 to allow a circuit court to enforce, modify or set aside a subpoena issued by the Commissioner of Labor.

HB 668 An act relating to the custody and disposition of certain property. Creates new sections of KRS Chapter 67 to require county judge/executive to name the sheriff of chief of county police as property custodian for property confiscated by peace officers or state police; makes various changes relating to disposition of property; permits proceeds of sale of forfeited property to go to unit of government whose officers confiscated the property; and requires that property needed as evidence in trial court shall not be retained by the court.

HB 702 An act relating to penalties for violating environmental laws. Provides penalties for violation of hazardous waste management laws or regulations. Makes violation of Class D felony carrying a $25,000 fine for each day of violation and a prison term of one to five years.

HB 779 An act relating to protection of adults. Creates new sections of KRS Chapter 209 relating to protective orders for adults, and authorizes the court to issue an ex parte order for emergency protective orders; sets conditions for hearing and issuance of orders. Amends various sections of KRS Chapter 209.

HB 791 An act relating to conditional release. Abolishes supervised conditional release by the Bureau of Corrections.

HB 823 An act relating to crimes and punishments. Eliminates the distinction between a day or night burglary; changes classification of various burglary offenses.

HB 911 An act relating to duties of county attorneys. Provides that the county attorney shall attend to the prosecution of all juvenile proceedings held pursuant to KRS 208.070 or 208.020.

HB 974 An act relating to guardians, conservators, and mentally disabled persons. Creates new sections of KRS Chapter 387 and amends various other sections of the statutes dealing with guardianship and conservatorship. The act will become effective July 1, 1982.